



*City of Charleston*

# **BOARD OF ZONING APPEALS-ZONING**

**February 21, 2023**

**5:15 PM**

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DEPARTMENT OF PLANNING, PRESERVATION & SUSTAINABILITY  
[www.charleston-sc.gov/bza-z](http://www.charleston-sc.gov/bza-z)

**This meeting is being recorded.**



*City of Charleston*

## **BOARD OF ZONING APPEALS-ZONING**

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### **Your Board of Zoning Appeals-Zoning Members are:**

John Bennett

Bill Goodwin, Jr.

Allison Cannon Grass

Chappy McKay

Howell Morrison

Robben Richards

Jeffrey Tibbals

### **Your City of Charleston Staff are:**

Lee Batchelder, *Zoning Administrator*

Pennye Ashby, *Senior Planner*

Omar Muhammad, *Planner*

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DEPARTMENT OF PLANNING, PRESERVATION &  
SUSTAINABILITY

[www.charleston-sc.gov/bza-z](http://www.charleston-sc.gov/bza-z)

**This meeting is being recorded.**

# Meeting Protocol

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## **Order on Each Application:**

- Chair announces each application
- Staff presents application and City's recommendation. Staff will control slide presentation
- If recommendation is favorable and no one objects to the application, usually the Board treats application as uncontested and passes it
- If there is an objection, applicant and anyone else in favor, after being sworn in, will be allowed to speak on the application. Each speaker will be sworn in before speaking. Each speaker should state their name and address for the record
- Next, opponents, after being sworn in, can speak followed by a short rebuttal from the applicant
- The Board then closes the public hearing on that application and opens discussion for Board members

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## **The Board of Zoning Appeals—Zoning has the authority to do three things:**

1. Hear appeals to decisions of the Zoning Administrator;
2. Grant special exceptions, a fact finding function of the Board; and
3. Grant variances to the Zoning Ordinance if the application meets the hardship test outlined in Section 54-924 of the ordinance.

# **Board of Zoning Appeals-Zoning**

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## **Requirements for Granting a Variance**

A variance may be granted by the Board of Zoning Appeals in an individual case of unnecessary hardship if the Board makes the following findings:

- a. there are extraordinary and exceptional conditions pertaining to the particular piece of property;
- b. these conditions do not generally apply to other property in the vicinity;
- c. because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- d. the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.



# Agenda Item #A-1

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Approval of February 7, 2023 BZA-Z Minutes

<https://www.charleston-sc.gov/AgendaCenter/ViewFile/Agenda/02072023-8057>

## Agenda Item #A-2

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1334 RUTLEDGE AVENUE

(GARDEN KIAWAH)

TMS # 464-14-00-024

Request variance from Sec. 54-317 to allow a restaurant use with 480sf of inside patron use area providing 2 off-street parking spaces (5 spaces required).

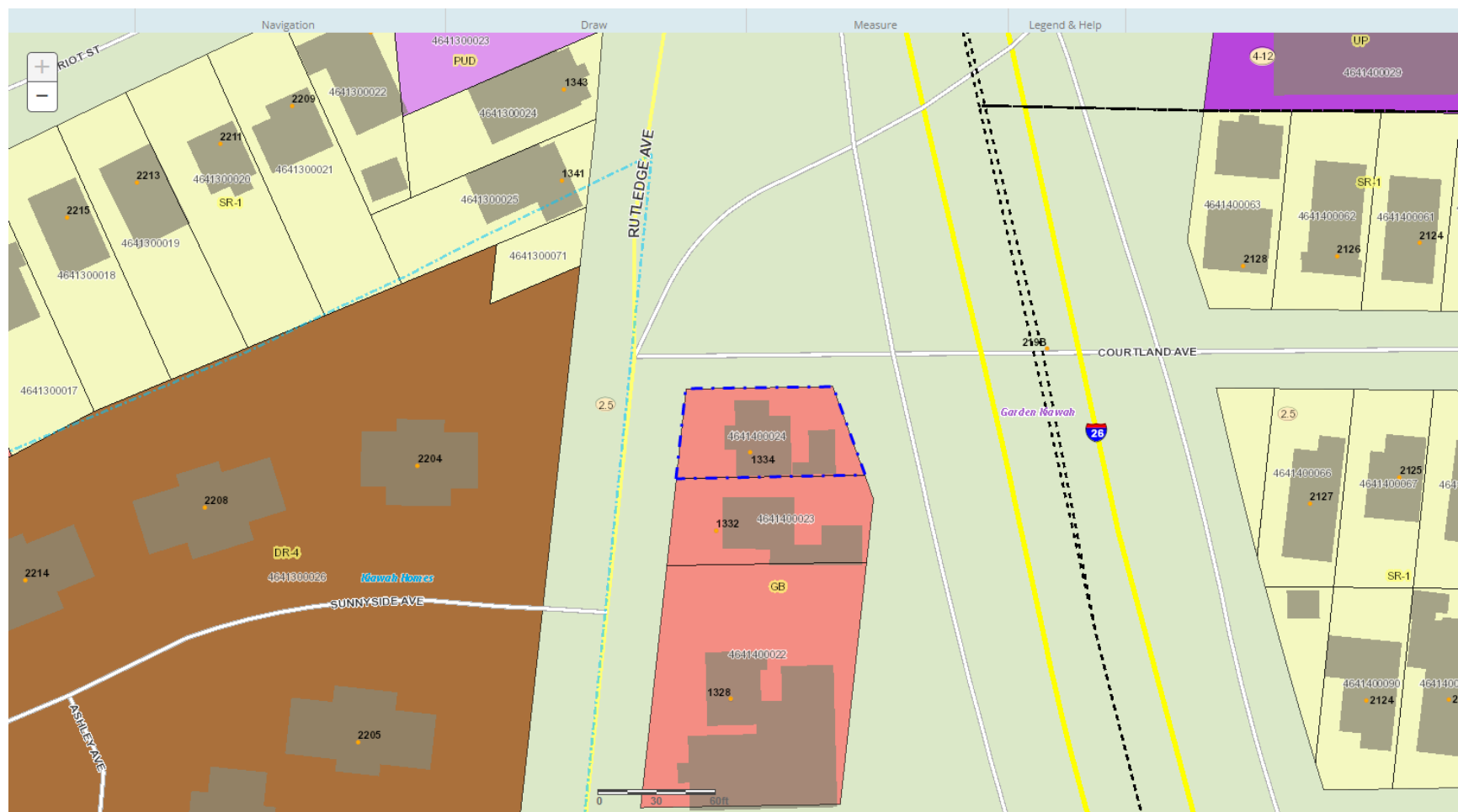
Zoned GB



Search ✕

Search by Address ▾

1334 Rutledge Ave. 🔍







**Instructions** – This application, along with the required information, must be submitted in PDF format to the Board Administrator at [ASHBYP@charleston-sc.gov](mailto:ASHBYP@charleston-sc.gov). Applicant will then be invoiced for fee. **Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda.** A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Zoning. **Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days.** An appeal to the Board during this appeal period stays all further action on the application.

**THE APPLICANT HEREBY REQUESTS:**

- ☐ A Variance and/or Special Exception as indicated on page 2 of this application.  
☐ Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).  
☐ Extension of an unexpired Variance and/or Special Exception approval.

**MEETING DATE REQUESTED:** 2-7-23

Property Address 1334 Rutledge Ave TMS # 464-14-00-024

Property Owner Flipside SC, LLC Daytime Phone 843-607-9412

Applicant John C Sullivan / SArch Studio Daytime Phone 843-720-1955

Applicant's Mailing Address 104 Fishbone St., Charleston SC 29403

E-mail Address js@sarcho.com

Relationship of applicant to owner (same, representative, prospective buyer, other) architect

Zoning of property GB

**Information required with application: (check information submitted)**

- ☒ Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested  
☐ For new construction or additions within a flood zone, show HVAC units and platform on scaled plans  
☒ Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff  
☒ Plans or documents necessary to show compliance with special exception requirements  
☐ YES or ☒ NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

**Optional but very helpful information:**

- ☒ Photographs  
☒ Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant John C Sullivan Date 1-9-23

For office use only	
Date application received _____	Time application received _____
Staffperson _____	Fee \$ _____ Receipt # _____

**BZA-Z Application (continued)**

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

Variance for 3 off street parking spaces - 5 required, 2 provided. See attached for Variance Test.

**Variance Test:** The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

**All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.**



**s.arch+studio, llc**

104 Fishburne St.  
Charleston, SC 29403  
[o] 843-720-1955  
www.sarchstudio.com

January 9, 2023

RE: 1334 Rutledge Avenue

**Seeking Parking Variance for the 3 parking spaces**

a. *There are extraordinary and exceptional conditions pertaining to the particular piece of property:*

The rear of the property was annexed by the DOT to build the overpass leaving the rear property with a limited backyard and an angled rear property line. The property is also a corner lot that has DOT property both at the rear and across the side street from site. Parking in the front is not viable due to many conditions- a bus stop blocking access, limited access by driveways do to distance to the corner and the DRB not wanting parking in front of the building.

b. *Do not apply to other property in vicinity:*

The site has had a large portion of the rear yard annexed by the DOT. It is a corner site with DOT property on 2 sides. It sits along a side street that has a stretch of over 250' with no uses on it that allows for plenty of street parking.

c. *Unreasonably restrict the utilization:*

Without granting this request, the best use for this is a neighborhood restaurant. Without this variance, the use of the site would be restricted to a business or residential use that is not ideal or financially viable.

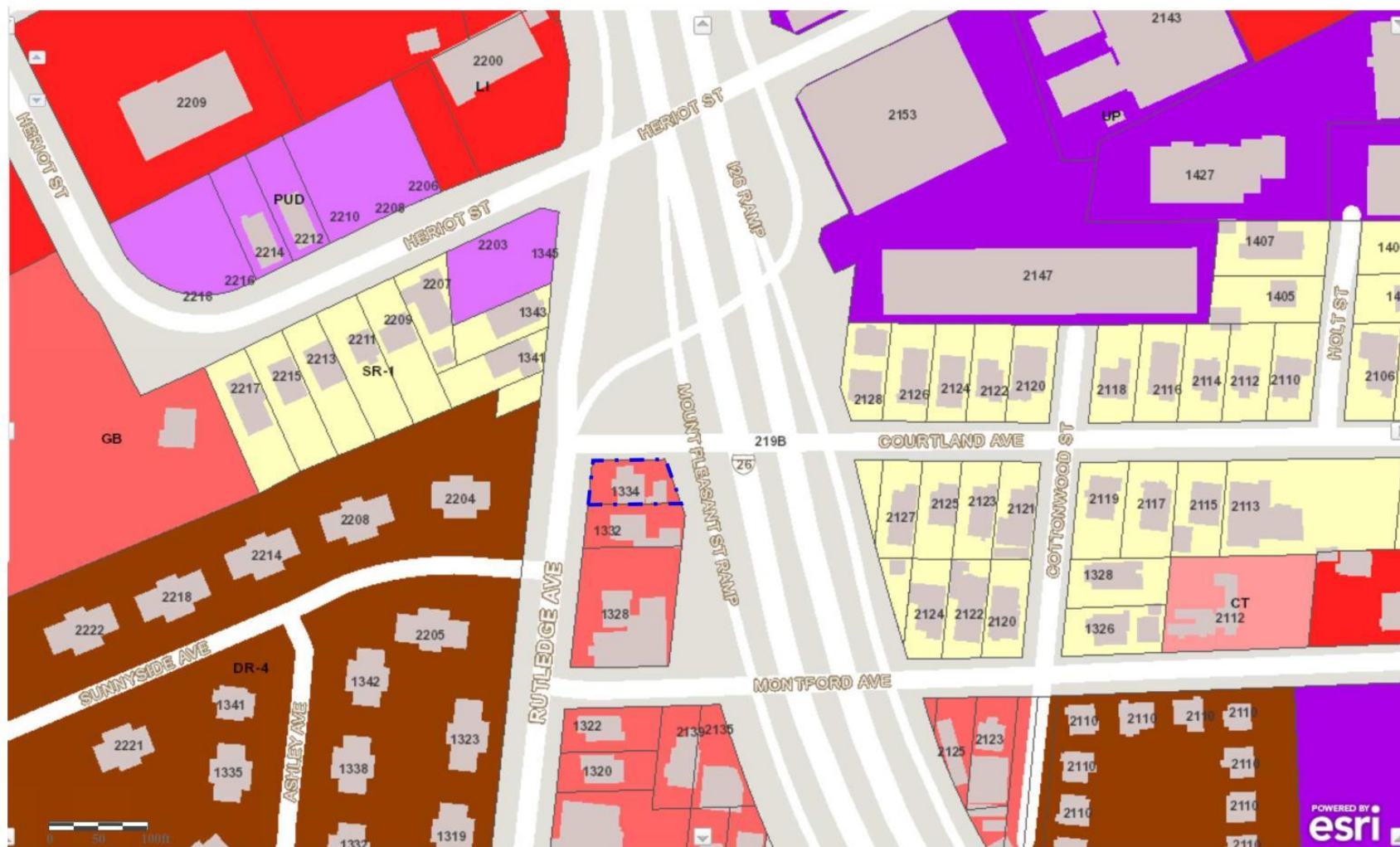
d. *Will not be a substantial detriment to adjacent property:*

As the DOT right of way borders to sides of the site, the variance will not affect their property at all. The adjacent neighbor is in support of the variance. Along Courtland Avenue, it's over 180' from the rear property line to the nearest property not owned by the DOT. This provides plenty of buffer and street parking for the site.

Sincerely,

John Sullivan, AIA LEED BD+C  
s.arch+studio llc





# Zoning Map

1.9.23

# The Last Stop

1334 Ruitledge Avenue  
Charleston, SC 29403





## Front View

1.9.23

## The Last Stop

1334 Rultledge Avenue  
Charleston, SC 29403





## Rear View

1.9.23

## The Last Stop

1334 Rultledge Avenue  
Charleston, SC 29403





## Courtland Avenue View

1.9.23

## The Last Stop

1334 Rultledge Avenue  
Charleston, SC 29403





## View Looking North

1.9.23

## The Last Stop

1334 Rutledge Avenue  
Charleston, SC 29403





## Underpass View

1.9.23

## The Last Stop

1334 Rultledge Avenue  
Charleston, SC 29403



## Underpass

1.9.23

## The Last Stop

1334 Rultledge Avenue  
Charleston, SC 29403



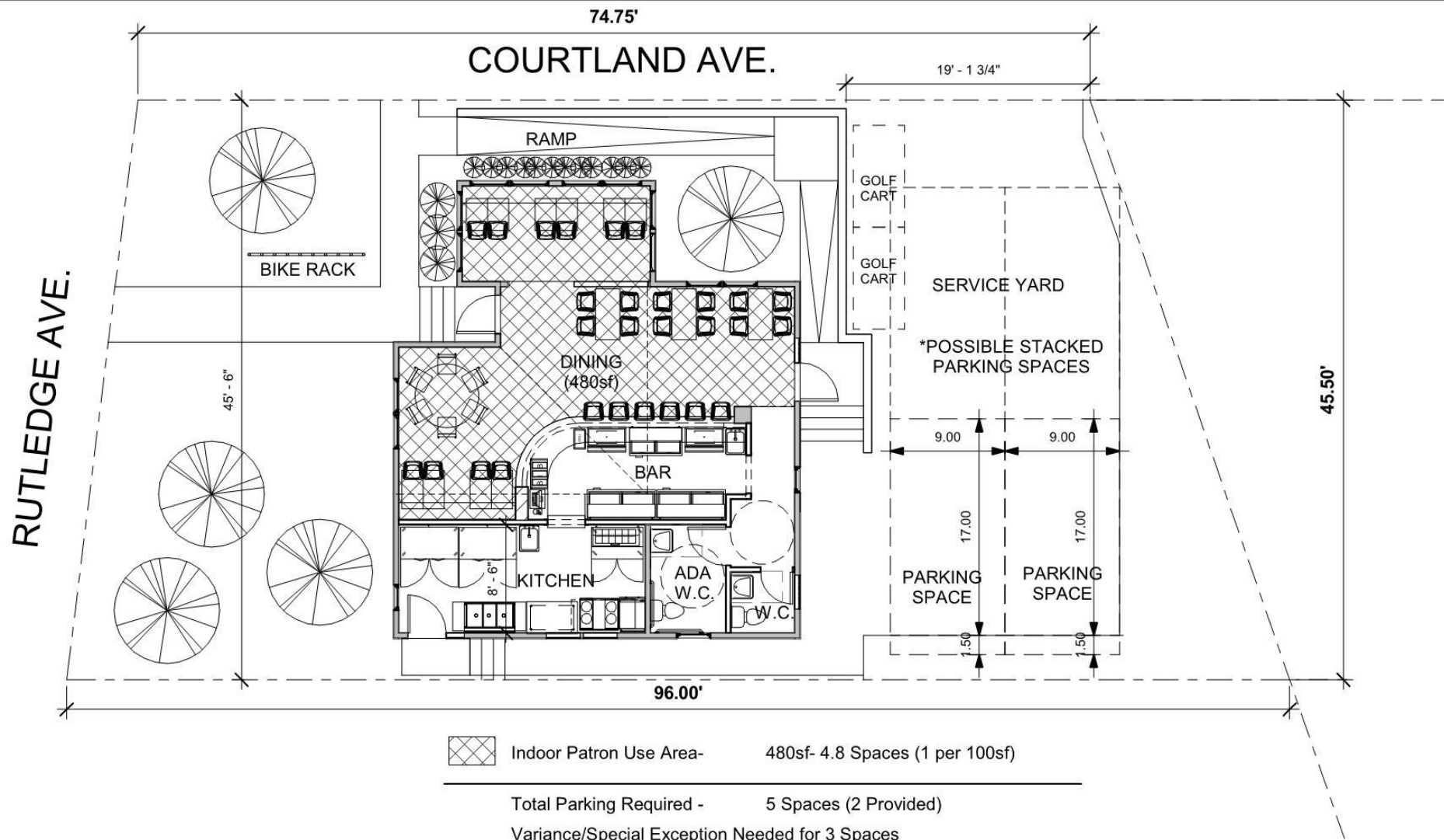


## Interior View

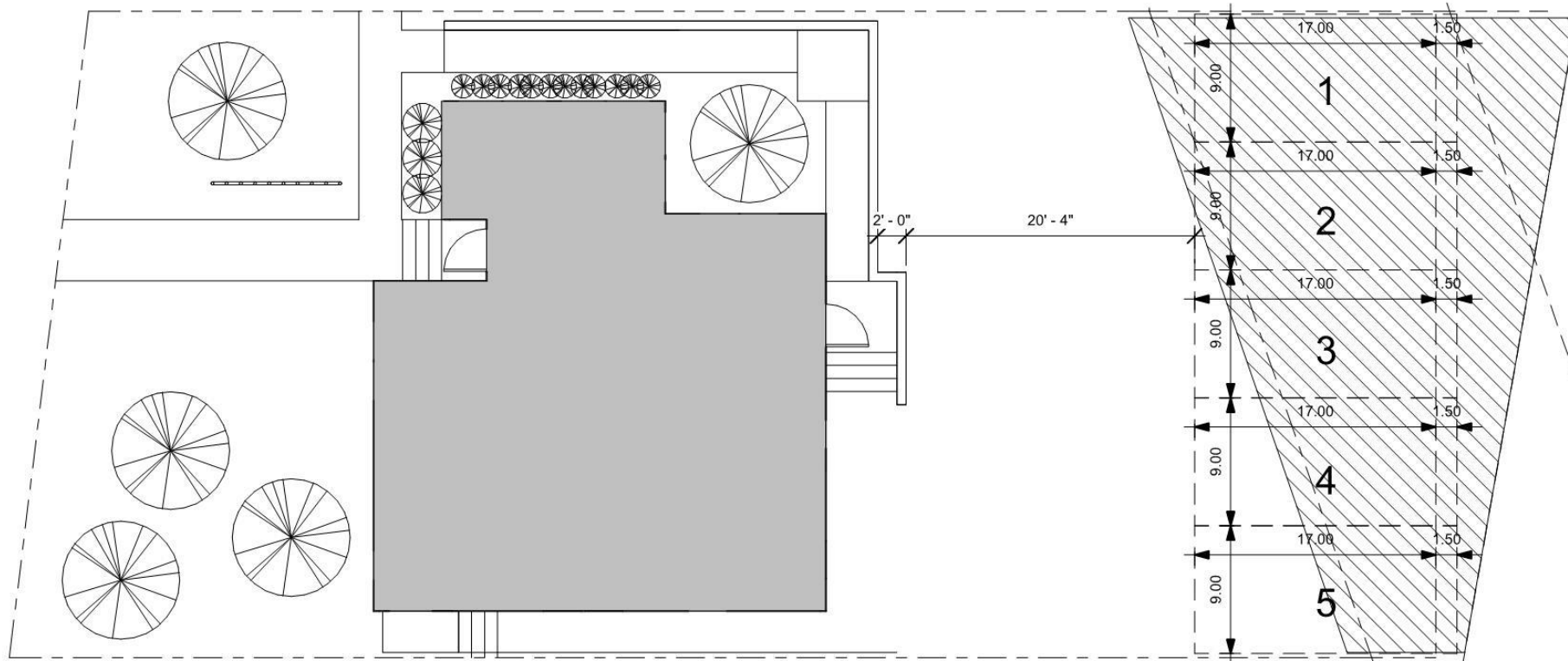
1.9.23

## The Last Stop

1334 Rutledge Avenue  
Charleston, SC 29403



\*Space provided for 2 Golf Carts and Bike Rack  
 Though not zoning code compliant, 2 stacked parking spaces  
 could be added in lieu of the golf cart spaces.



\*FIVE SPACES COULD FIT ON THE SITE BEFORE DOT



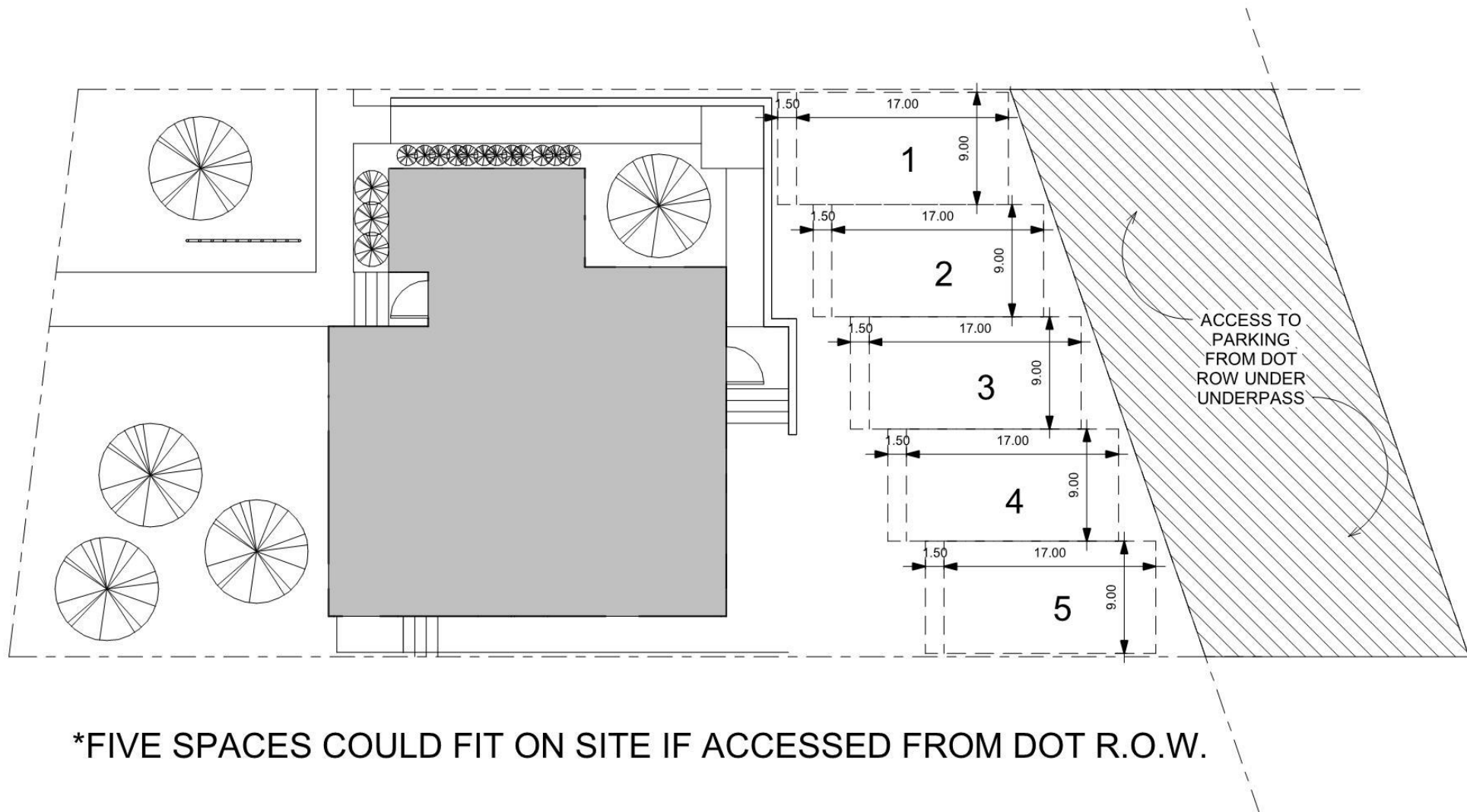
## Parking w/o DOT Annex

1.9.23

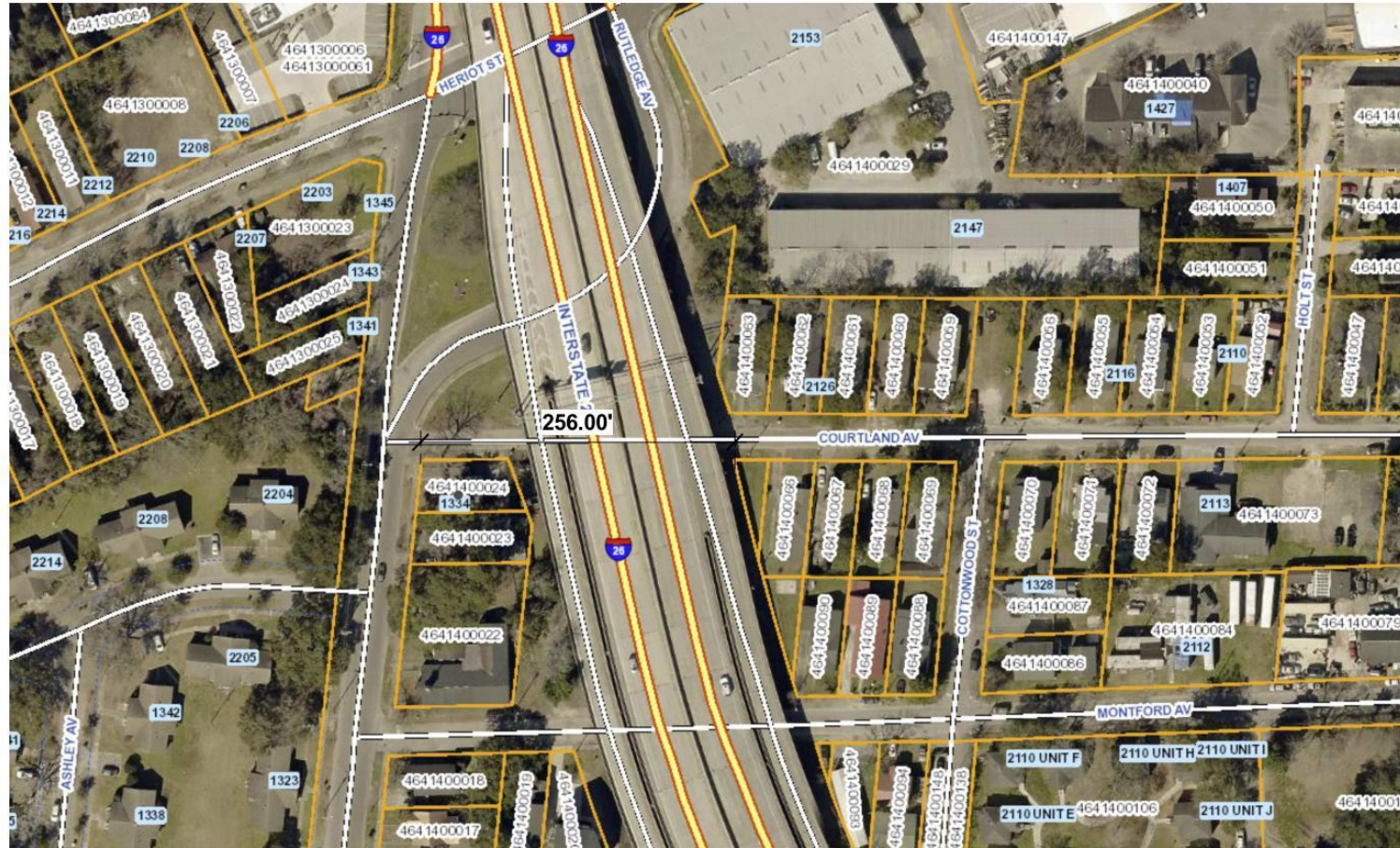
## The Last Stop

1334 Rutledge Avenue  
Charleston, SC 29403





\*FIVE SPACES COULD FIT ON SITE IF ACCESSED FROM DOT R.O.W.



\* 256' from Corner to closest Residential Lot along Courtland Avenue.  
 Could fit over 20 Cars parked on the site of the road!



# Ariel View

1.9.23

# The Last Stop

1334 Rutledge Avenue  
 Charleston, SC 29403



January 6, 2023

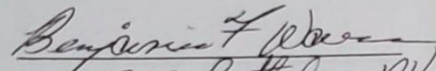
Board of Zoning Appeals - Zoning  
Dept. of Planning, Preservation  
and Sustainability  
City of Charleston  
2 George St.  
Charleston, SC 29401

**Re: 1334 Rutledge Ave**

I am writing to support the parking variance zoning request for 1334 Rutledge Ave.

I am a property owner in the immediate neighborhood, and I looked at what is being proposed for this zoning request and feel that it is appropriate for the neighborhood and will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

Sincerely,

  
Owner of 1332 Rutledge Ave.

# **Agenda Item #B-1**

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23 REID STREET  
(EASTSIDE)

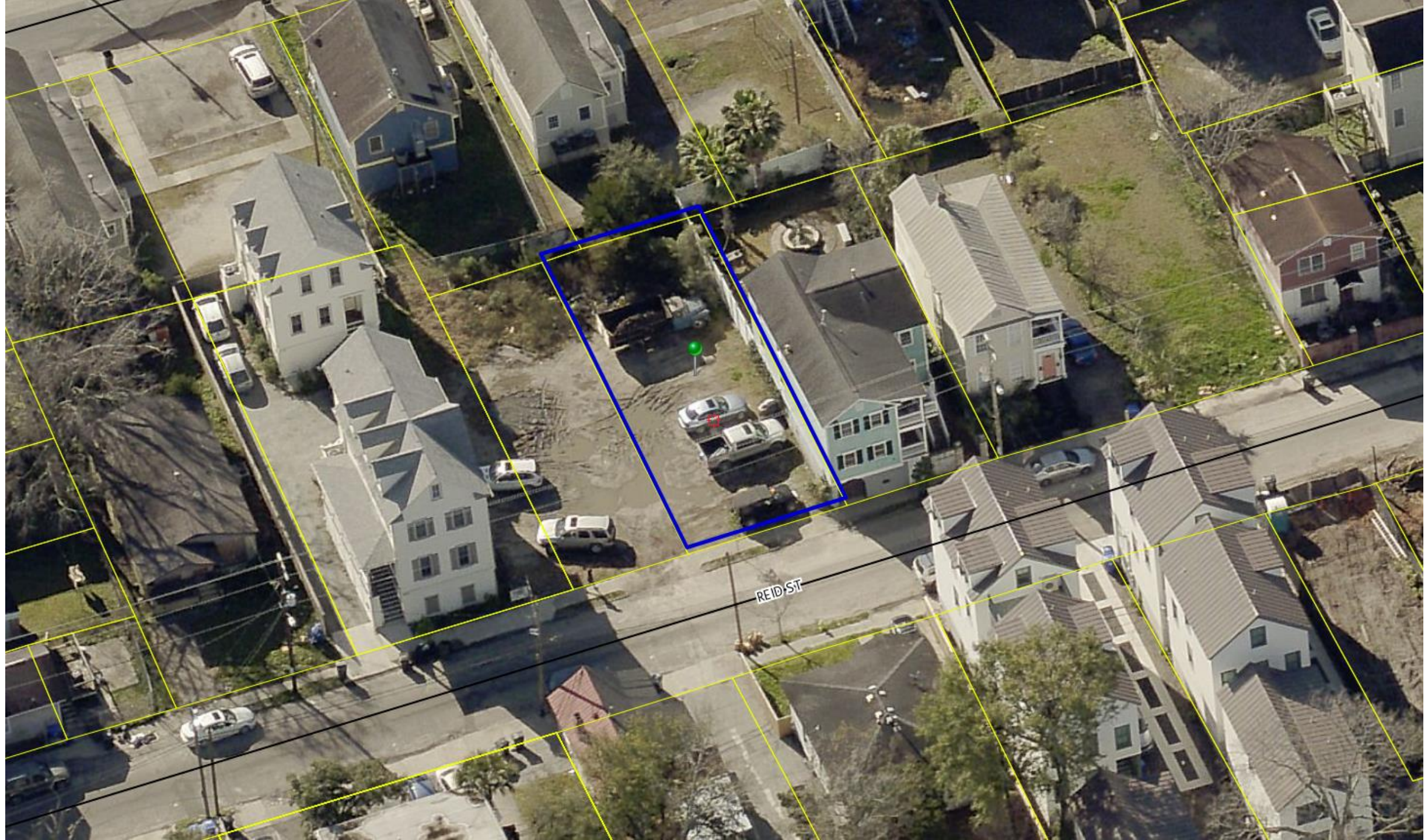
TMS #459-09-04-030

Request the second one-year extension of a vested right that expires on February 18, 2023, pursuant to Sec. 54-962. Vested right pertains to variance granted with condition to allow a single-family residence and hvac platform.

Zoned DR-2F







REID ST





**Instructions** – This application, along with the required information and fee, must be submitted to the Permit Center at 2 George Street. **Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda.** A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Zoning. **Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days.** An appeal to the Board during this appeal period stays all further action on the application.

**THE APPLICANT HEREBY REQUESTS:**

- ☐ A Variance and/or Special Exception as indicated on page 2 of this application.  
☐ Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).  
☒ Extension of an unexpired Variance and/or Special Exception approval.

**MEETING DATE REQUESTED:** March 7, 2023

Property Address 23 Reid Street TMS # 459 09 04 030

Property Owner Dawn Limberg Daytime Phone 843 697 1392

Applicant Clay Shackelford Architect Daytime Phone 843 225 5659

Applicant's Mailing Address 136 Congress Street, Charleston, SC 29403

E-mail Address clayshackelford@gmail.com

Relationship of applicant to owner (same, representative, prospective buyer, other) representative

Zoning of property DR-2F

**Information required with application: (check information submitted)**

- ☒ Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)  
☒ For new construction or additions within a flood zone, show HVAC units and platform on scaled plans  
☐ Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff (3 sets)  
☐ Plans or documents necessary to show compliance with special exception requirements (3 sets)  
☒ Check, credit card or cash (make checks payable to the City of Charleston)  
☐ YES or ☐ NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:

- ☐ Photographs  
☐ Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant Clay Shackelford Date 01/24/23

**For office use only**

Date application received \_\_\_\_\_ Time application received \_\_\_\_\_  
Staffperson \_\_\_\_\_ Fee \$ \_\_\_\_\_ Receipt # \_\_\_\_\_

**BZA-Z Application** (continued)

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

— Request that the West setback be reduced to 3'-0" (7'-0" setback required).  
— The HVAC stand will also meet this 3'-0" setback. The 10'-0" overall side setback will be maintained by having a 7'-0" setback on the East side.

**Variance Test:** The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

**All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.**





## PROPERTY LOCATION, TMS NUMBER(S) AND DESCRIPTION OF REQUEST(S):

23 REID ST. (EASTSIDE) (459-09-04-030)

Request variance from Sec. 54-301 to allow construction of a single-family residence and hvac platform with a 3-ft. west side setback (7-ft. required).

Zoned DR-2F.

Order on Special Exception Request

The Board of Zoning Appeals-Zoning held a public hearing to consider the above appeal for a special exception which may be permitted by the Board pursuant to the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions.

☐ **DENIED.** The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have not been met and therefore orders that the special exception(s) be denied.

☐ **APPROVED.** The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have been met and therefore orders that the special exception(s) be granted, subject to the following conditions, if any:

Date issued: \_\_\_\_\_ Chairman \_\_\_\_\_

Order on Variance Request

The Board of Zoning Appeals-Zoning held a public hearing to consider an appeal for a variance from the strict application of the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of facts and conclusions.

☐ **DENIED.** The Board concludes that the requirements for granting a variance have not been met and, therefore, orders that the variance be denied.

☒ **APPROVED.** The Board concludes that:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. Authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

THE BOARD, THEREFORE, finds that the applicant has an unnecessary hardship and orders that the variance be granted, subject to the following conditions, if any:

*7' side setback be on East side of property.*

Date issued: 2/18/20 Chairman *[Signature]*

Approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Section 54-962. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.

1/09



## PROPERTY LOCATION, TMS NUMBER(S) AND DESCRIPTION OF REQUEST(S):

23 REID ST. (EASTSIDE) (459-09-04-030)

Request first one-year extension of a vested right that expires on February 18, 2022, pursuant to Sec. 54-962. Vested right pertains to variance granted with a condition to allow a single-family residence and hvac platform.

Zoned DR-2F

Order on Special Exception Request

The Board of Zoning Appeals-Zoning held a public hearing to consider the above appeal for a special exception which may be permitted by the Board pursuant to the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions.

☐ **DENIED.** The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have not been met and therefore orders that the special exception(s) be denied.

☐ **APPROVED.** The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have been met and therefore orders that the special exception(s) be granted, subject to the following conditions, if any:

Date issued: \_\_\_\_\_ Chairman \_\_\_\_\_

Order on Variance Request

The Board of Zoning Appeals-Zoning held a public hearing to consider an appeal for a variance from the strict application of the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of facts and conclusions.

☐ **DENIED.** The Board concludes that the requirements for granting a variance have not been met and, therefore, orders that the variance be denied.

☒ **APPROVED.** The Board concludes that:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. Authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

THE BOARD, THEREFORE, finds that the applicant has an unnecessary hardship and orders that the variance be granted, subject to the following conditions, if any:

*Approval with condition for one-year extension to expire on February 18, 2023.*

Date issued: 2/15/22 Chairman *Michael Robinson*

Approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Section 54-962. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.

1/09

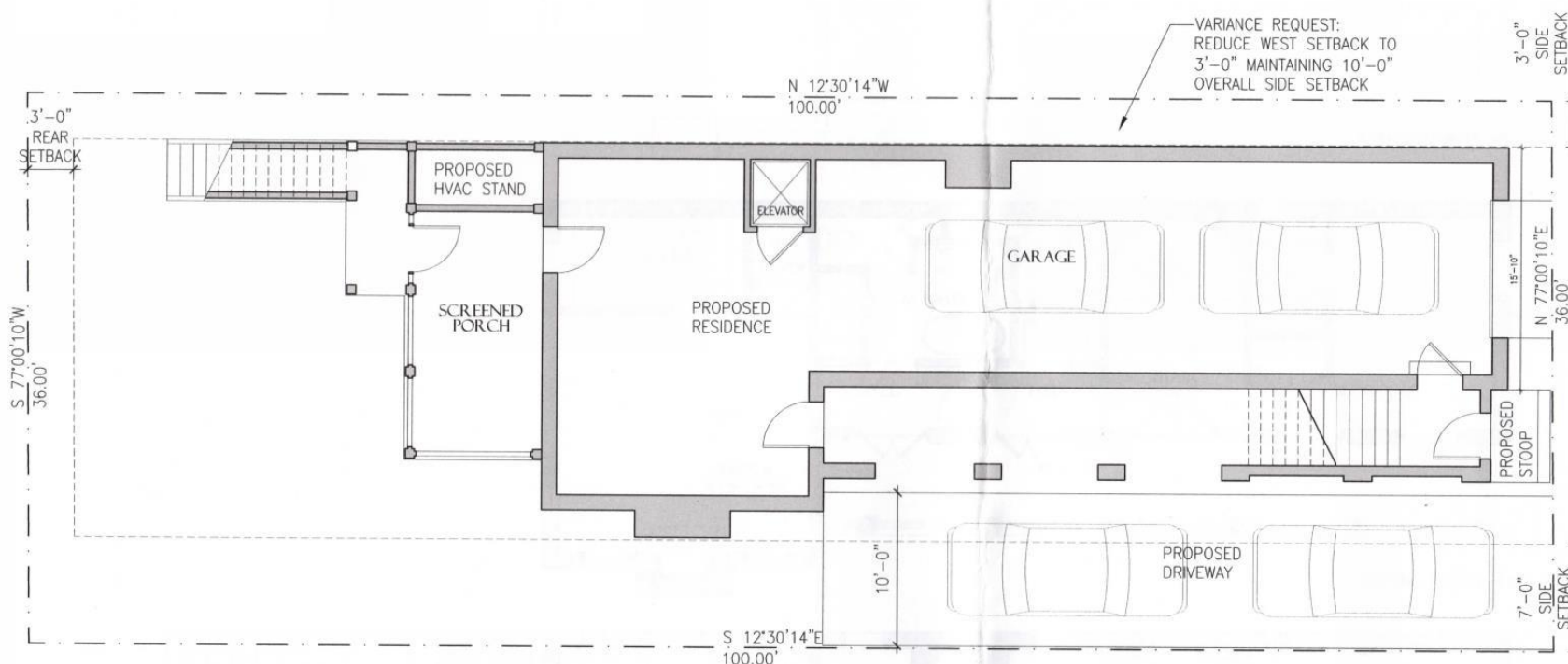


RECEIVED

JAN 17 2020

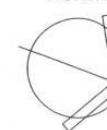
# AREA

1165 SF	FIRST FLOOR
1165 SF	SECOND FLOOR
406 SF	THIRD FLOOR
2736 SF	TOTAL HEATED



23 REID STREET  
40' R.O.W.

NORTH



## PROPOSED LOT OCCUPANCY

1699 SF	FOOTPRINT INCLUDING STAIRS OVER 3'-0" TALL
3599 SF	LOT AREA
47.2%	PROPOSED LOT OCCUPANCY
50%	LOT OCCUPANCY ALLOWED

## ZONING

TMS 459 09 04 030  
ZONED DR-2F  
OLD CITY HEIGHT DISTRICT 2.5-3.5  
EASTSIDE NEIGHBORHOOD

## BOARD OF ZONING APPEALS — ZONING

ADDRESS 23 Reid Street

<input checked="" type="checkbox"/> APPROVED	FOR <input checked="" type="checkbox"/> SETBACK	SFH
<input type="checkbox"/> DENIED	<input type="checkbox"/> DENSITY	
<input type="checkbox"/> WITHDRAWN	<input type="checkbox"/> PARKING	
<input type="checkbox"/> AS SUBMITTED	<input type="checkbox"/> HEIGHT	
<input checked="" type="checkbox"/> W/CONDITIONS	<input type="checkbox"/> LOT OCCUPANCY	
	<input type="checkbox"/> USE/OR SPECIAL EXCER	
	<input type="checkbox"/> OTHER	

DATE 2-18-20 ZONING OFFICIAL PA

\*THIS APPROVAL EXPIRES WITHIN TWO YEARS UNLESS AN  
EXTENSION IS APPROVED PURSUANT TO SEC. 54-9B2  
\*THIS DOES NOT CONSTITUTE APPROVAL  
BY OTHER CITY BOARD OR COMMITTEES

Approval with condition that 4-foot side setback  
will be on the east side of property.

RECEIVED

JAN 17 2020

## SITE PLAN GROUND FLOOR PLAN

1/8" = 1'-0"  
February 18, 2020  
BZA-Z Meeting

LIMBERG RESIDENCE  
23 REID STREET  
CLAY SHACKELFORD  
ARCHITECT  
848 225 5659

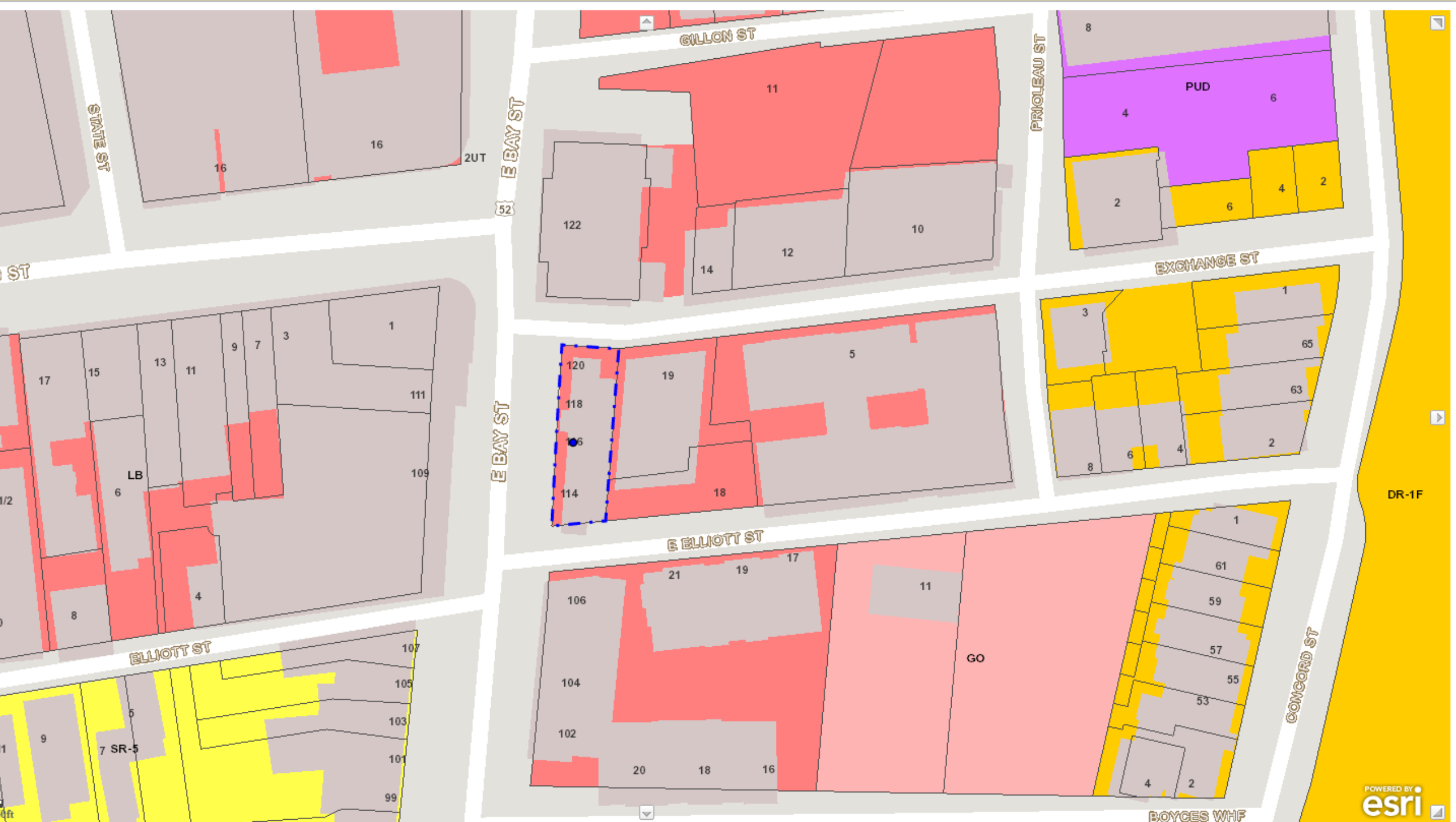
## **Agenda Item #B-2**

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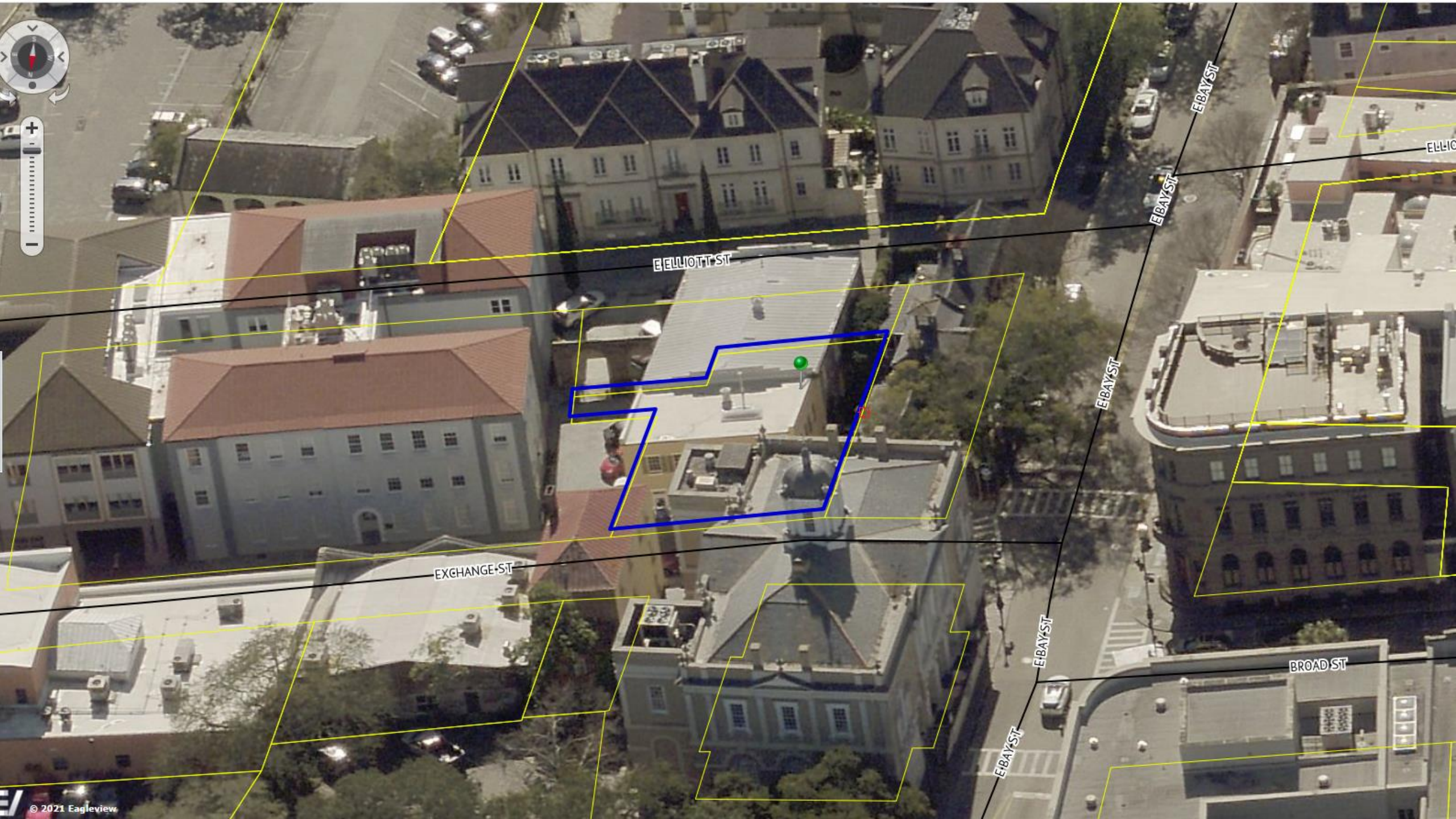
116 EAST BAY STREET  
TMS #458-09-04-022

Request an appeal of the zoning administrator's decision to prohibit a retail use from having tables and chairs for patrons, preempt South Carolina State Law by controlling how alcohol is sold and served, revoke a sidewalk café permit, and prohibit issuance of a new sidewalk café permit.

Zoned LB







E ELLIOTT ST

EXCHANGE ST

EBAY ST

EBAY ST

EBAY ST

EBAY ST

EBAY ST

BROAD ST





City of Charleston

**Instructions** – This application, along with the required information, must be submitted in PDF format to the Board Administrator at [ASHBYP@charleston-sc.gov](mailto:ASHBYP@charleston-sc.gov). Applicant will then be invoiced for fee. **Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda.** A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Zoning. **Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days.** An appeal to the Board during this appeal period stays all further action on the application.

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☒ Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).  
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**MEETING DATE REQUESTED:** \_\_\_\_\_

Property Address 116 E. Bay Street TMS # 4580904022

Property Owner Burnie Maybank Daytime Phone (803) 960-3024

Applicant Beer and Wine at Rainbow Row LLC Daytime Phone (919) 454-1920

Theron Sandy II

Applicant's Mailing Address 320 Bermuda Towne Row, Mount Pleasant, 29464

E-mail Address tsandy@theronlaw.com

Relationship of applicant to owner (same, representative, prospective buyer, other) Lessee/Lessor

Zoning of property Limited Business

**Information required with application: (check information submitted)**

- ☐ Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested  
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☐ YES or ☒ NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

**Optional but very helpful information:**

- ☒ Photographs  
☒ Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant Theron Sandy II Date 19 January 2024

For office use only  
Date application received \_\_\_\_\_ Time application received \_\_\_\_\_  
Staffperson \_\_\_\_\_ Fee \$ \_\_\_\_\_ Receipt # \_\_\_\_\_



City of Charleston

Applicants appealing for reconsideration of a Board decision or decision of the zoning administrator must submit the following information with the BZA-Z application to the Board Administrator at [ASHBYP@charleston-sc.gov](mailto:ASHBYP@charleston-sc.gov). Applicant will then be invoiced for the fee.

In the case of an appeal for **reconsideration of a Board decision**, applicant shall state below the grounds upon which it is considered that the Board misapprehended or misconceived the question or questions involved, or the ground or grounds upon which it is considered that the Board has erred in its finding or disposition of the appeal, application or matter (add as an attachment if necessary). **THE DEADLINE FOR SUBMITTING THIS APPEAL FORM WITH THE BZA-Z APPLICATION AND FEE IS THE CLOSE OF BUSINESS ON THE 5<sup>TH</sup> BUSINESS DAY FOLLOWING THE DATE OF THE BOARD DECISION BEING APPEALED:**

In the case of an appeal for **reconsideration of a decision of the zoning administrator**, applicant shall state below the interpretation(s) of the Zoning Ordinance being appealed, how the applicant is aggrieved by the interpretation(s), and what the applicant contends is the correct interpretation of the Zoning Ordinance (add as an attachment if necessary):

We are zoned Limited Business which allows retail use. Special Conditions were placed in our Certificate of Occupancy which limits our retail use. For example, we are not allowed to have tables/chairs for patrons (3 leather chairs next to our fireplace). There is no ordinance that prohibits tables/chairs for patron use. In addition, the Special Conditions attempt to preempt SC State Law by controlling how alcohol is sold and served.

Finally, we retail food items. We applied for a Sidewalk Cafe Permit and met all of the requirements/conditions. We were issued a permit which was later revoked based upon the Special Conditions placed in our CO.

Signature of Applicant Theron Sandy II Date 19 January 24

**For office use only**

Date application received \_\_\_\_\_ Time application received \_\_\_\_\_ Staffperson \_\_\_\_\_



# City of Charleston Certificate of Occupancy

**Issued Date:** November 17, 2020

**Occupancy Name:** The Tavern at Rainbow Row

**Occupancy Address:** 116 E BAY ST

**Occupancy Classification:** M

**Base Zoning:** LB

**On-Premises Alcohol:**

City Code allows consumption with State License.

**Special Conditions:**

RETAIL STORE WITH LIMITED FREE SAMPLES OF FOOD, BEER AND WINE FOR CONSUMPTION ON-SITE (INSIDE THE BUILDING). FREE SAMPLES OF BEER AND WINE FOR ON-SITE CONSUMPTION (INSIDE THE BUILDING) SHALL BE INCIDENTAL TO RETAIL SALES. TABLES/CHAIRS FOR PATRONS SHALL NOT BE PERMITTED.

**Business Owner's Name:** Theron Sandy II

**Business Owner's Address:** 320 Bermuda Towne ROW

**Business Owner's Phone:** 843-641-0146

**Occupant Load by Area:** 12

**Hours of Operation:** 9AM TO 11PM

## MAXIMUM OCCUPANT LOAD: 12

The location listed above is hereby granted a Certificate of Occupancy pursuant to the requirements of the Revenue Collections Office and the Municipal Code of the City of Charleston, SC. The certificate does not certify that the building or occupancy meets the requirements of the Building or Fire Code but is solely issued for Business License purposes. The certificate is non-transferable and is valid as long as the facility is used as described above, until change of name, use, or ownership, or revoked by the Chief Building or Chief Fire Official. Use of this facility is limited by law. Occupancy or use contrary to the terms listed may be considered dangerous and unlawful and will result in criminal prosecution. Commercial establishments approved for on-premises alcohol consumption shall not operate between 2AM and 6AM on Mondays through Saturdays. Certificate must be framed and posted within ten feet of the primary entry door, or approved alternate location, with the top of the frame measuring no higher than 6 feet above the floor, and in immediate view of the public. Any person willfully destroying or removing this certificate will be punished to the maximum extent of the law.



Chief Building Official



Chief Fire Marshal



# SIDEWALK CAFÈ PERMIT



A LICENSE IS HEREBY GRANTED TO: BEER AND WINE AT RAINBOW ROW

License #:SD2022-00034

Name and address of establishment: BEER AND WINE AT RAINBOW ROW

Date issued: 06/21/2022

Hours of operation: 11:00AM-9:00PM

Sidewalk Cafe location: EAST BAY ST

Number of tables approved: 11

Number of seats approved: 24



City of Charleston  
Zoning Approval

By: 

Date: 06/21/2022

☐ Approved with Conditions:

THIS LICENSE MUST BE PLACED IN THE FRONT WINDOW FACING OUTWARD; OR, IF THERE IS NO SUCH WINDOW, THEN IN A CONSPICUOUS PART OF THE BUSINESS PLACE.

\_\_\_\_\_  
FOR ZONING ADMINISTRATOR  
CHARLESTON, SC

## City of Charleston, South Carolina



## Sidewalk dining 116 E Bay St

**From:** Rowe, Jason rowej@charleston-sc.gov  
**To:** Theron W Sandy II tsandy@theronlaw.com  
**Cc:** Fluegge, Rick FLUEGGER@charleston-sc.gov, Burghoff, Margaret Burghoffm@charleston-sc.gov  
**Date:** Tue, Nov 29, 2022, 3:46 PM  
 116 E Bay St CO.pdf 123 KB

Good Afternoon,

Your business was issued a sidewalk dining permit in June of this year, the reviewers of that were unaware of the special conditions that existed with the Certificate of Occupancy that was issued for this business specifically the retail nature of the business, the prohibition of tables and chairs for patrons as well as the limitation of the location of any on site consumption of free samples (inside the building). The issuance of an sidewalk dining permit cannot supersede the Certificate of Occupancy therefore the sidewalk dining permit will be voided. Please remove all outdoor tables and chairs associated with the sidewalk dining so as to return to compliance with your Certificate of Occupancy. I apologize for any confusion this may have caused.

Thank you,

**Jason Rowe** | Zoning Compliance Coordinator

City of Charleston | Department of Planning, Preservation and Sustainability

Zoning Division

2 George Street | Suite 3100 | Charleston, SC 29401

T: Office: (843)-867-7679 Cell: (843)-830-5641 | [rowej@charleston-sc.gov](mailto:rowej@charleston-sc.gov) | [www.charleston-sc.gov](http://www.charleston-sc.gov)



*City of Charleston*

Department of Planning, Preservation and Sustainability

John J. Tecklenburg, Mayor

Robert Summerfield, Director

December 15, 2022

Theron W. Sandy II  
320 Bermuda Towne Row  
Mount Pleasant, SC 29464

Re: Zoning Violation Notice, 116 East Bay Street, Charleston, SC

Dear Theron,

This letter is to advise you that your business at 116 East Bay Street is in violation of the City of Charleston Zoning Ordinance if it operates in a manner that is not consistent with the permits and approvals issued by the City.

As you know, the Certificate of Occupancy (CO) for 116 East Bay Street, dated November 17, 2020, and issued by the City on December 10, 2021, is restricted to retail use of the building, in accordance with the City of Charleston zoning ordinance, and a mercantile occupancy classification, as described in the 2018 International Building Code. This license is conditioned as follows:

"Retail store with limited free samples of food, beer and wine for consumption on-site (inside the building). Free samples of beer and wine for on-site consumption (inside the building) shall be incidental to retail sales. Tables/chairs for patrons shall not be permitted."

Sales of beer, wine and food for on-premises consumption, and the installation of tables and chairs inside or outside for patrons clearly violates the City issued CO for this business. Please bring your business into compliance with the restrictions and conditions of your CO within 10 days from receipt of this letter. If you do not comply with these restrictions and conditions, I will have no choice but to issue a municipal summons.

Please let me know if you have any questions.

Sincerely,

Lee C. Batchelder, AICP  
Zoning Administrator



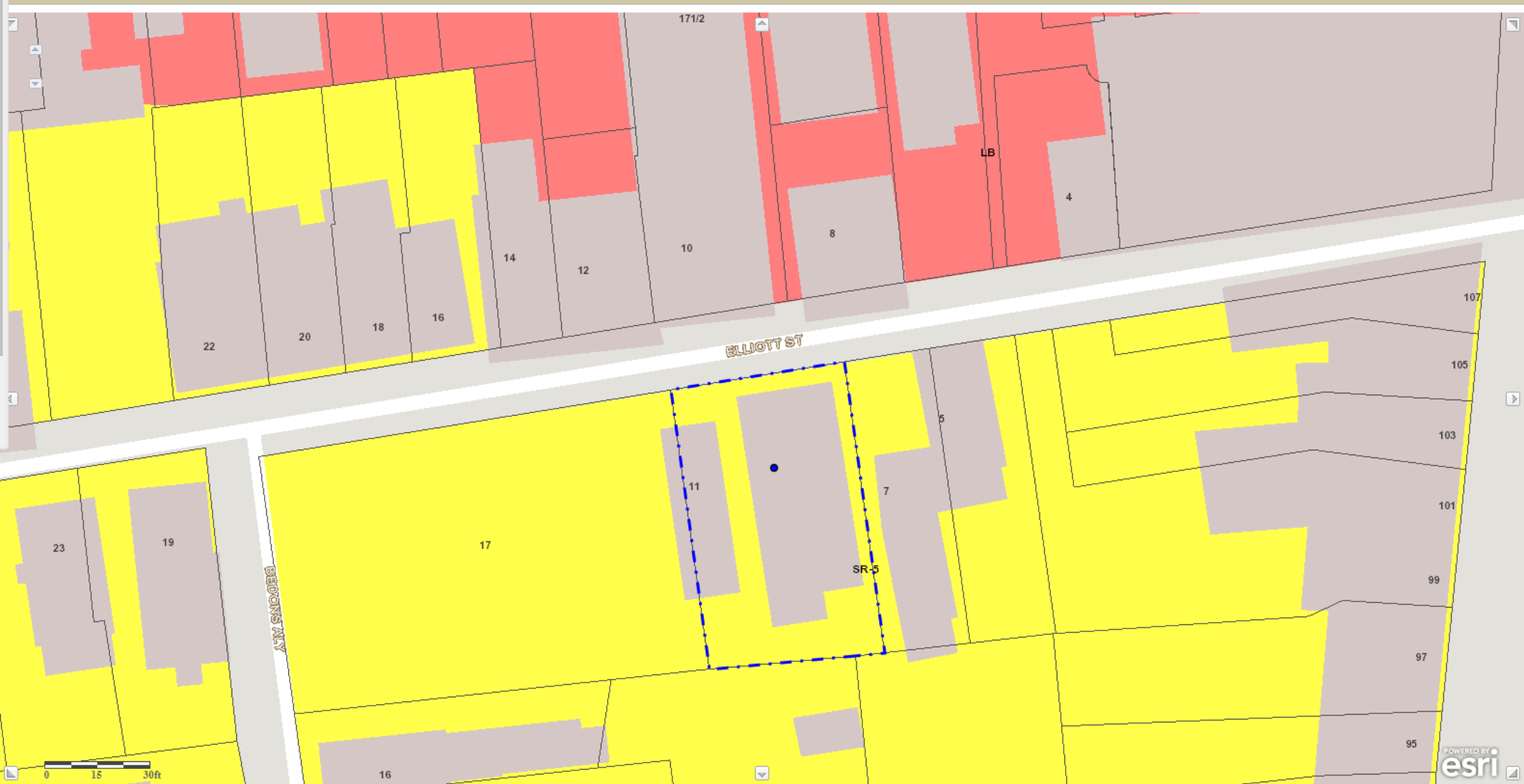
## Agenda Item #B-3

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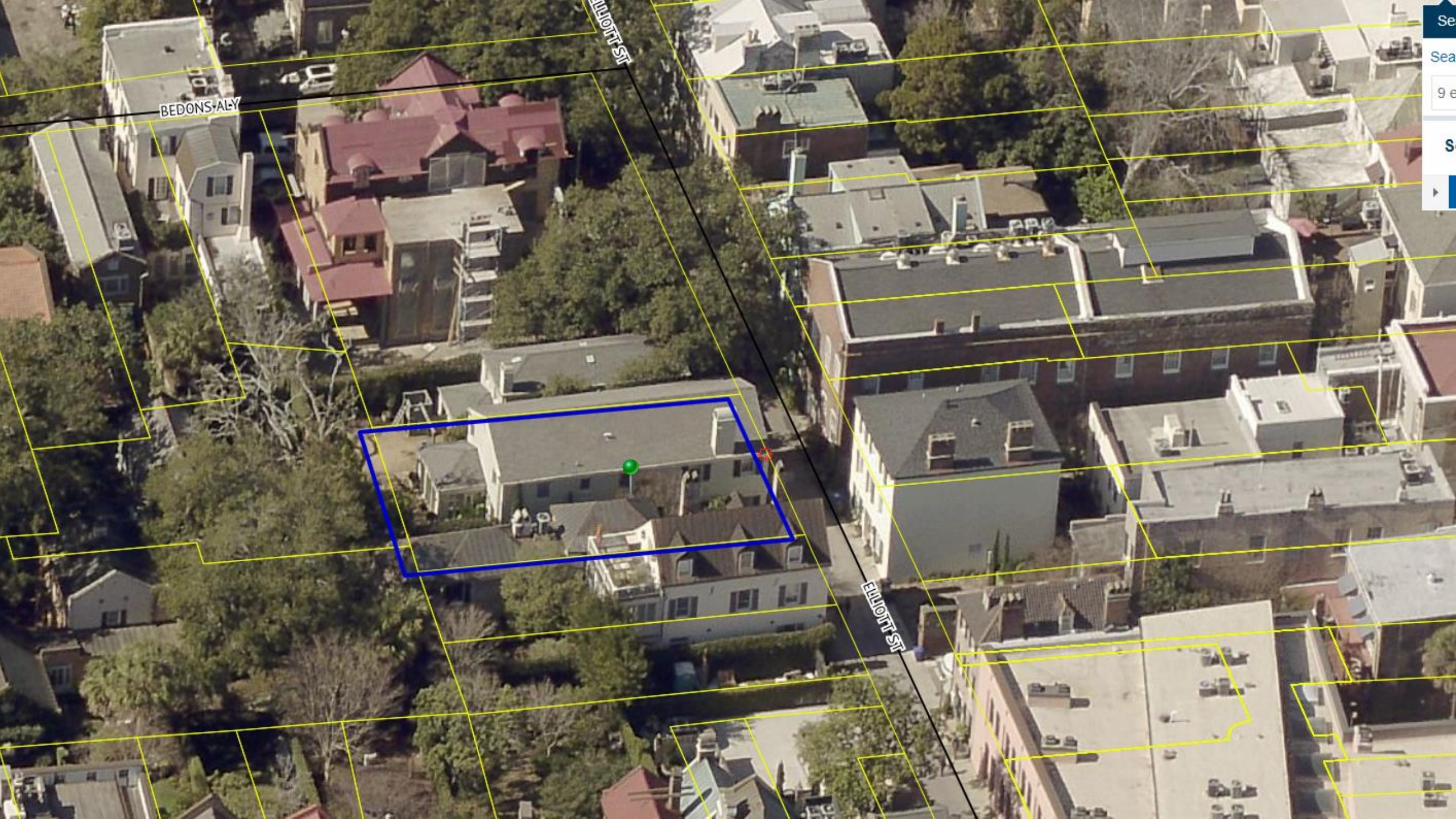
9 AND 11 ELLIOTT STREET  
(CHARLESTOWNE)  
TMS #458-09-03-101

Request special exception (after-the-fact) under Sec. 54-110 to allow a horizontal expansion and vertical extension (covered enclosure for pool and hvac equipment) that extends a non-conforming 2-ft. west side setback (7-ft. required).

Zoned SR-5







BEDONS ALY

ELLIOTT ST

ELLIOTT ST





City of Charleston

**Instructions** – This application, along with the required information, must be submitted in PDF format to the Board Administrator at [ASHBYP@charleston-sc.gov](mailto:ASHBYP@charleston-sc.gov). Applicant will then be invoiced for fee. **Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda.** A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Zoning. **Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days.** An appeal to the Board during this appeal period stays all further action on the application.

**THE APPLICANT HEREBY REQUESTS:**

- ☒ A Variance and/or Special Exception as indicated on page 2 of this application.  
☐ Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).  
☐ Extension of an unexpired Variance and/or Special Exception approval.

**MEETING DATE REQUESTED:** September 6, 2022

Property Address 9 and 11 Elliot St. TMS # 458-09-03-101

Property Owner Eric Roden Daytime Phone 843-414-9754

Applicant Jonathan I. Yates Daytime Phone 843-813-0103

Applicant's Mailing Address 105 Broad Street, Third Floor, Charleston, SC 29401

E-mail Address jly@hellmanyates.com

Relationship of applicant to owner (same, representative, prospective buyer, other) Attorney

Zoning of property SR-5

**Information required with application: (check information submitted)**

- ☒ Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested  
☐ For new construction or additions within a flood zone, show HVAC units and platform on scaled plans  
☐ Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff  
☐ Plans or documents necessary to show compliance with special exception requirements  
☐ YES or ☒ NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

**Optional but very helpful information:**

- ☒ Photographs  
☐ Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant [Signature] Date 08.08.22

For office use only	
Date application received	Time application received
Staffperson	Receipt #
Fee \$	

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

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**Variance Test:** The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

See attached Exhibit A, attached hereto and incorporated herein by reference.

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**All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.**



## EXHIBIT A

Applicant seeks a Special Exception pursuant to Section 54-110(f) to extend or increase the non-conforming use now in existence and Applicant intends to show the Board as follows:

1. The extension or increase is limited to extending or increasing the non-conforming use now in existence as shown on the attached drawings by South Carolina Registered Architect Babak Bryan; and
2. The extension or increase of the non-conforming use would not result in an unreasonable intensification of the non-conforming use as it simply for mechanical systems to be above grade.
3. The extension or increase in the non-conforming use will have:
  - a. Little or no impact on properties in the vicinity, and will create no traffic impact whatsoever;
  - b. no impact on vehicular and pedestrian safety;
  - c. no impact on parking;
  - d. little or no impact on noise, lighting, fumes, or obstruction of air flow or light on adjoining property; and
  - e. little or no impact on the aesthetic character of the environs, as shown on the attached photos, as all mechanical equipment will be screened.

SITE LOCATION MAP

NOT TO SCALE



SITE OVERVIEW

NOT TO SCALE



PROJECT INFORMATION

PROPERTY INFORMATION

NAME OF OWNER: ERIC RODEN  
PROJECT ADDRESS: 9 & 11 ELLIOTT STREET  
CHARLESTON, SC 29401  
TAX MAP/PROPERTY ID #: TMS-458 09 03 101  
FLOOD ZONE: ZONE X - UNSHADED  
ZONING GROUP: SR-6 - SINGLE FAMILY RESIDENTIAL  
BASIC WIND SPEED: 147MPH  
SEISMIC DESIGN CATEGORY: D

SCOPE OF WORK

- MODIFICATION TO POOL EQUIPMENT STAND FOR PREVIOUSLY PERMITTED AND CONSTRUCTED NEW POOL.
- NO MODIFICATIONS TO EXISTING BUILDING OR ACCESSORY STRUCTURE PROPOSED.
- ALL EXISTING ELECTRICAL SYSTEMS TO REMAIN, NO CHANGES TO THE PROPOSED SERVICES.
- ALL EXISTING HVAC SYSTEMS TO REMAIN, NO PROPOSED MODIFICATIONS TO EQUIPMENT, EXISTING EQUIPMENT TO BE RELOCATED AS PROPOSED IN THESE PLANS.
- EXISTING TOILET ROOMS TO REMAIN.
- NO CHANGE TO USE, EGRESS OR OCCUPANCY IS PROPOSED

APPLICABLE CODES

2018 INTERNATIONAL BUILDING CODE WITH S.C. 1/2020 MODIFICATIONS  
2018 INTERNATIONAL EXISTING BUILDING CODE  
2018 INTERNATIONAL FIRE CODE WITH S.C. 1/2020 MODIFICATIONS  
2018 INTERNATIONAL FUEL CODE WITH S.C. 1/2020 MODIFICATIONS  
2018 INTERNATIONAL MECHANICAL CODE WITH S.C. 1/2020 MODIFICATIONS  
2018 INTERNATIONAL PLUMBING CODE  
2017 NATIONAL ELECTRICAL CODE WITH S.C. 1/2020 MODIFICATIONS  
2009 INTERNATIONAL ENERGY CONSERVATION CODE  
2017 ICC A117.1 STANDARDS FOR ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES  
2018 INTERNATIONAL PROPERTY MAINTENANCE CODE

REQUIRED INSPECTIONS

PLUMBING ROUGH IN  
ELECTRICAL ROUGH IN  
FRAMING  
INSULATION  
PLUMBING FINAL  
ELECTRICAL FINAL  
BUILDING FINAL / CERTIFICATE OF OCCUPANCY

ENERGY CODE REQUIREMENTS

101.4.3 - ADDITIONS, ALTERATIONS, RENOVATIONS OR REPAIRS TO AN EXISTING BUILDING, BUILDING SYSTEM OR PORTION THEREOF SHALL CONFORM TO THE PROVISIONS OF THIS CODE AS THEY RELATE TO NEW CONSTRUCTION WITHOUT REQUIRING THE UNALTERED PORTION(S) OF THE EXISTING BUILDING OR BUILDING SYSTEM TO COMPLY WITH THE CODE.

CHAPTER 5 - COMMERCIAL ENERGY EFFICIENCY

502 - BUILDING ENVELOPE REQUIREMENTS

502.2.1 - ALL ROOF ASSEMBLIES ARE EXISTING TO REMAIN  
502.2.3 - ALL ABOVE GRADE WALLS EXISTING TO REMAIN EXCEPT FOR NEW PROPOSED PENETRATIONS THAT SHALL COMPLY WITH REQUIREMENTS BELOW.  
502.2.5 - FLOORS OVER OUTDOOR AIR OR UNCONDITIONED SPACE SHALL BE INSULATED TO A MIN R-19 PER TABLE 502.2(1)  
502.3.1 - MAXIMUM PENETRATION SHALL BE LESS THAN 40% OF TOTAL PROJECTED FACADE AREA. **PROPOSED FIRST FLOOR TOTAL PENETRATION AREA IS 24.1%, NO PROPOSED CHANGES TO SECOND FLOOR PENETRATION.**  
502.3.2 - PROPOSED STOREFRONTS SHALL HAVE A U-FACTOR OF 0.60 AND AN SHGC OF GREATER THAN 0.40 SINCE THE PF IS GREATER THAN 0.5 IN ALL CASES.  
502.5.2 - STOREFRONT SYSTEMS SHALL HAVE AIR LEAK TESTS IN ACCORDANCE WITH ASTM E 283.

503 - BUILDING MECHANICAL SYSTEMS

503 - NO BUILDING MECHANICAL SYSTEM REQUIREMENTS AS NO CHANGES TO EXISTING MECHANICAL SYSTEMS ARE PROPOSED

504 - SERVICE WATER HEATING (MANDATORY)

504.2 - EXISTING HOT WATER HEATER TO REMAIN  
504.5 - PIPE INSULATION TO BE MIN. 1" THK. WITH 0.27

ENERGY CODE REQUIREMENTS (CONTINUED)

505 - ELECTRICAL POWER AND LIGHTING SYSTEMS

505.2 - LIGHTING SYSTEMS SHALL BE PROVIDED WITH CONTROLS AS REQUIRED IN SECTIONS 505.2.1, 505.2.2, 505.2.3 AND 505.2.4.  
505.2.4 - NO PROPOSED CHANGES TO EXISTING EXTERIOR LIGHTING  
505.5 - A BUILDING COMPLIES WITH THIS SECTION IF ITS TOTAL CONNECTED LIGHTING POWER CALCULATED UNDER SECTION 505.5.1 IS NO GREATER THAN THE INTERIOR POWER CALCULATED UNDER SECTION 505.5.2  
505.5.1.6 - EXCEPTION - IN RESTAURANT BUILDINGS AND AREAS, LIGHTING FOR FOOD WARMING OR INTEGRAL TO FOOD PREPARATION EQUIPMENT.  
TABLE 505.5.2 INTERIOR LIGHTING POWER ALLOWANCES  
• DINING/ CAFETERIA/FAST FOOD - 1.4W/SF  
• WAREHOUSE - 0.8W/SF  
• OFFICE - 1.0W/SF  
505.6.2 - NO EXTERIOR BUILDING LIGHTING REQUIREMENTS AS NO CHANGES TO EXISTING EXTERIOR BUILDING LIGHTING ARE PROPOSED

LIST OF DESIGN PROFESSIONALS

ARCHITECT  
BABAK BRYAN, AIA  
DESIGN PROFESSIONAL RESPONSIBLE IN CHARGE

BABAK BRYAN ARCHITECT  
12 QUEEN STREET  
CHARLESTON, SC 29401  
843-882-8325

CONTRACTOR INFORMATION

TBD

LIST OF DRAWINGS

GENERAL:

T-000 COVER SHEET & PROJECT INFO.  
G-000 CONSTRUCTION NOTES

ARCHITECTURAL:

Z-000 SITE PLAN AND ZONING ANALYSIS  
A-100 PROPOSED PLANS  
A-300 PROPOSED SECTIONS & EXTERIOR ELEVATIONS  
A-500 MISC FRAMING DETAILS  
A-600 EXISTING PHOTO & PROPOSED RENDERING  
A-601 EXISTING PHOTO & PROPOSED RENDERING

THIS DRAWING IS AN INSTRUMENT OF PROFESSIONAL SERVICE. IT AND BRIEF THEREON, THE PROPERTY OF BABAK BRYAN ARCHITECT, LLC. NO PART OF THIS PROJECT OR INSTRUMENT OF SERVICE SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BABAK BRYAN ARCHITECT, LLC.

ABBREVIATION LIST

A. - AMP/AMPERE A.C.T. - ACUSTIC CEILING TILE ADA - AMERICANS WITH DISABILITIES ACT ADJ. - ADJUSTABLE A.F.F. - ABOVE FINISH FLOOR AHC. - ABOVE HUNG CEILING ALT. - ALTERNATE AL. - ALUMINUM AWG - AMERICAN WIRE GAUGE BFP - BACK FLOW PREVENTER B.O. - BY OTHER C. - CONDUIT CB - CIRCUIT BREAKER C/C - CENTER TO CENTER COT - CONDUIT CL. - CLOSET CLB - CEILING CMU - CONCRETE MASONRY UNIT CO - CONDUIT ONLY COP - CLEAN OUT DECK PLATE CONC - CONCRETE CONT. - CONTINUOUS CONTD - CONTINUED C.W. - COLD WATER DIM. - DIMENSION DIA. - DIAMETER DISC - DISCONNECT DISP. - DISPOSE D.W. - DOWN DWG - DRAWING EC - ELECTRICAL CONTRACTOR ELEC. - ELECTRIC ELECTRICAL EM - EMERGENCY E.M.T. - ELECTRICAL METAL TUBING ENGL. - ENGINEER EQ - EQUAL EX - EXISTING EXIST. - EXISTING FA - FIRE ALARM FBO - FURNISHED BY OTHERS FD - FLOOR DRAIN FFD - FUNNEL FLOOR DRAIN FL - FLOOR FS - FLOOR SINK G - GROUND GA - GAUGE G.C. - GENERAL CONTRACTOR GND - GROUND GWB - GYPSUM WALL BOARD HB - HOSE BIB HM - HOLLOW METAL HT - HEIGHT H.W. - HOT WATER IM - ICE MAKER INFO. - INFORMATION JAN - JANITOR JB - JUNCTION BOX KVA - KILOVOLT-AMPERE LAV. - LAVATORY LDR - LADDER LP - LIQUID PROPANE LTG - LIGHTING MC - METAL CLAD CABLING MCB - MAIN CIRCUIT BREAKER MCM - THOUSAND CIRCULAR MILS MECH. - MECHANICAL MIN. - MINIMUM M.L.O. - MAIN LOSS ONLY MR - MOP RECEPTOR MNT. - MOUNTED MTL. - METAL N - NEUTRAL NO. - NUMBER N.T.S. - NOT TO SCALE PE - PULL BOX PLAM - PLASTIC LAMINATE PML - PANEL PROP. - PROPOSED PTD - PAINTED R - RELOCATED EXISTING EQUIPMENT R.C.P. - REFLECTED CEILING PLAN RD - ROOF DRAIN REQD - REQUIRED RFLT. - REFLECTED RM. - ROOM PRZ - REDUCED PRESSURE RTU - ROOF TOP UNIT O.C. - ON CENTER S/SAN - SANITARY SD - SMOKE DETECTOR SERV. - SERVICE SH. - SHOWER SIM. - SIMILAR SNK. - SINK S.S. - STAINLESS STEEL STL. - STEEL SW - SWITCH SWBO - SWITCHBOARD TYP. - TYPICAL UNF - UNFUSED U.O.A. - UNLESS OTHERWISE NOTED UR - URINAL V - VENT VB. - VACUUM BREAKER V.F. - VERIFY IN FIELD VTR - VENT THRU ROOF W - WASTE W. - WITH WC. - WATER CLOSET WD - WOOD WH. - WATER HEATER WP - WEATHERPROOF
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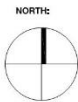
BBA

RODEN RESIDENCE - POOL EQUIP.

Babak Bryan Architect llc  
12 Queen Street  
Charleston, SC 29401  
tel. +1-843-882-8325  
info@babakbryan.com

9 ELLIOTT STREET  
CHARLESTON, SC 29401  
TMS # 458 09 03 101

REV	DESCRIPTION	DATE
1	BZA	1/05/2023



SCALE:  
N.T.S.  
DATE:  
11.07.2022  
PROJECT NO:  
2204  
PROJECT PHASE:  
PD

SEAL:



COVER SHEET &  
PROJECT INFO

T-000



GENERAL NOTES

1. ALL WORK TO BE PERFORMED BY LICENSED TECHNICIANS TO ACCOMPLISH THE WORK AS OUTLINED IN THIS SET OF DRAWINGS AND AS MAY BE REQUIRED BY THE WORK. ALL WORK SHALL BE DONE CAREFULLY AND NEATLY, IN A SYSTEMATIC MANNER.
2. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF TOWN OF MOUNT PLEASANT, FIRE DEPARTMENT REGULATIONS, UTILITY COMPANY REQUIREMENTS, AND BEST TRADE PRACTICES.
3. CONTRACTOR SHALL FILE ALL NECESSARY CERTIFICATES WITH THE DEPARTMENT OF BUILDINGS, PAY ALL FEES, OBTAIN ALL PERMITS AND PROVIDE ANY AND ALL BONDS REQUIRED BY ANY CITY AGENCY IN ORDER TO DO THE WORK HEREIN DESCRIBED.
4. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS IN THE FIELD PRIOR TO COMMENCING WORK, AND SHALL REPORT ANY DISCREPANCIES BETWEEN DRAWINGS AND FIELD CONDITIONS TO THE ARCHITECT.
5. CONTROL, OVER OR CHARGE OF AND RESPONSIBILITY FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK OF THE PROJECT ARE SOLELY THE CONTRACTORS RESPONSIBILITY.
6. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ACTS OR OMISSIONS OF CONTRACTORS OR ANY OTHER PERSONS PERFORMING ANY OF THE WORK, OR FOR THE FAILURE OF ANY OF THEM TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONSTRUCTION CONTRACT.
7. CONTRACTOR SHALL LAY OUT HIS OWN WORK, AND SHALL PROVIDE ALL DIMENSIONS REQUIRED FOR OTHER TRADES (PLUMBING, ELECTRICAL, ETC.).
8. THE CONTRACTOR SHALL BE SOLELY AND FULLY RESPONSIBLE FOR THE SAFETY AND STABILITY OF EXISTING ADJACENT STRUCTURES INCLUDING BUT NOT LIMITED TO BUILDINGS, SIDEWALKS, ROADWAYS AND UTILITIES AND FOR ANY METHODS REQUIRED TO ENSURE THAT SAFETY AND STABILITY.
9. THE DESIGN, CONSTRUCTION, INSPECTION AND MAINTENANCE OF TEMPORARY STRUCTURES OR PROCEDURES INCLUDING BUT NOT LIMITED TO SUPPORT FOR AND STABILITY OF CRANES OR HOISTS OR LIFTS OR OTHER SIMILAR EQUIPMENT, TEMPORARY GUINING OR BRACING, SCAFFOLDING, FORMWORK OR SHORING, DEWATERING, SHEETING OR UNDERPINNING, CONSTRUCTION STORAGE OR STAGING AREAS, SIDEWALK BRIDGES OR CONSTRUCTION FENCES, TEMPORARY ENCLOSURES AT OPENINGS, AT THE BUILDINGS PERIMETER, OR ELSEWHERE, ETC., ARE SOLELY THE RESPONSIBILITY OF THE CONTRACTOR AND/OR CONSULTANTS RETAINED BY THE CONTRACTOR.
10. THE CONTRACTOR SHALL MAKE NO DEVIATION FROM CONTRACT DOCUMENTS WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ARCHITECT.
11. ANY WORK PERFORMED OUTSIDE OF THE UNIT LINE SHALL REQUIRE THE APPROVAL OF THE CONDOMINIUM BOARD OF BOARD, THE BUILDING ARCHITECT/ENGINEER AND BUILDING MANAGEMENT.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE ENGINEER RESPONSIBLE FOR CONTROLLED OR SPECIAL INSPECTIONS, IN A TIMELY MANNER, WHEN WORK IS READY FOR INSPECTION.
13. MINOR DETAILS AND/OR SPECIFICATIONS NOT USUALLY SHOWN OR SPECIFIED, BUT NECESSARY FOR PROPER CONSTRUCTION OF ANY PART OF THE WORK SHALL BE INCLUDED AS IF THEY WERE INDICATED IN THE DRAWINGS.
14. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL CONDITIONS AND MATERIALS WITHIN THE PROPOSED CONSTRUCTION AREA. CONTRACTOR SHALL HAVE SOLE RESPONSIBILITY FOR ANY DAMAGE OR INJURIES CAUSED BY OR DURING THE EXECUTION OF THE WORK.
15. ALL PLUMBING AND ELECTRICAL WORK SHALL BE PERFORMED BY PERSONS LICENSED IN THEIR TRADES, WHO SHALL ARRANGE FOR AND OBTAIN INSPECTIONS AND REQUIRED SIGN-OFFS.
16. CONTRACTOR SHALL DO ALL CUTTING, PATCHING, REPAIRING AS REQUIRED TO PERFORM ALL OF THE WORK INDICATED ON THE DRAWINGS, AND ALL OTHER WORK THAT MAY BE REQUIRED TO COMPLETE THE JOB.
17. CONTRACTOR SHALL INFORM THE ARCHITECT OF ANY HAZARDOUS MATERIAL FOUND IN THE AREA OF NEW WORK AS SOON AS POSSIBLE.
18. CONTRACTOR TO PROVIDE INSPECTIONS REQUIRED FOR FINAL INSPECTION.
19. DO NOT SCALE DRAWINGS.
20. STRUCTURAL CONSTRUCTION DRAWINGS SHALL BE USED IN CONJUNCTION WITH THE SPECIFICATIONS AND THE ARCHITECTURAL AND MECHANICAL CONSTRUCTION DRAWINGS.

GENERAL NOTES (CONTINUED)

21. THERE SHALL BE NO CUTTING, CHOPPING, OR CHANNELING INTO THE BUILDING STRUCTURAL FLOOR, CEILING, COLUMNS, BEAMS, SHIRT WALLS OR EXTERIOR MASONRY. THIS PERTAINS TO WIRING CONDUITS AND PIPING AS WELL.
22. ALL WORK SHALL BE LIMITED TO THE WORKING HOURS SPECIFIED IN THE BUILDING RULES AND REGULATIONS AND/OR ALTERATION AGREEMENT. NO WORK IS PERMITTED ON SATURDAY, SUNDAY, OR HOLIDAYS AS DETERMINED BY BUILDING MANAGEMENT.
23. THE CONTRACTOR WILL COORDINATE AND SCHEDULE ALL DELIVERIES OF MATERIAL IN ACCORDANCE WITH THE BUILDING RULES AND REGULATIONS AND/OR THE ALTERATION AGREEMENT.
24. ALL STUDIOS SHOULD BE METAL, NOT WOOD EXCEPT WOOD STUDIOS MAY BE USED TO STIFFEN DOOR OPENING, ALL PLYWOOD USED IN PARTITIONS MUST BE FIRE-RATED OR MUST BE SANDWICHED BETWEEN MASONRY, PLASTER, OR WALLBOARD AND NOT BE EXPOSED TO AIR.
25. GC SHALL HAVE A COMPETENT SUPERINTENDENT ON THE PREMISES AT ALL TIMES WHEN WORK IS IN PROGRESS.
26. THE CONTRACTOR SHALL TAKE ALL STEPS NECESSARY IN SHOWING THE WORK TEMPORARILY UNTIL ALL PERMANENT WORK IS IN PLACE. IF FLOORS/CEILING ARE TO BE REMOVED, THEY SHALL BE SHORED BEFORE ANY CUTTING WORK IS DONE SO THAT PIECES CAN BE REMOVED FROM ABOVE AS THEY ARE CUT OUT.
27. ANY NEW STRUCTURAL FRAMING SHALL BE SET IN PLACE PERMANENTLY ATTACHED TO THE EXISTING SUPPORTED BEAMS BEFORE THE FLOOR OPENING IS CUT.
28. THE CONTRACTOR WARRANTS TO THE OWNER AND ARCHITECT THAT MATERIALS AND EQUIPMENT FURNISHED UNDER THE CONTRACT WILL BE OF GOOD QUALITY AND NEW UNLESS THE CONTRACT DOCUMENTS REQUIRE OR PERMIT OTHERWISE. THE CONTRACTORS WARRANTY EXCLUDES REMEDY FOR DAMAGE OR DEFECT CAUSED BY ABUSE, ALTERATIONS TO THE WORK NOT EXECUTED BY THE CONTRACTOR, IMPROPER OR INSUFFICIENT MAINTENANCE, IMPROPER OPERATION, OR NORMAL WEAR AND TEAR AND NORMAL USAGE. THE CONTRACTOR WILL GUARANTEE THAT WITHIN ONE YEAR AFTER THE DATE OF SUBSTANTIAL COMPLETION, IF ANY OF THE WORK IS FOUND TO BE NOT IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL CORRECT IT PROMPTLY AFTER RECEIPT OF WRITTEN NOTICE FROM THE OWNER TO DO SO UNLESS THE OWNER HAS PREVIOUSLY GIVEN THE CONTRACTOR A WRITTEN ACCEPTANCE OF SUCH CONDITION, DURING THE ONE-YEAR PERIOD FOR CORRECTION OF WORK. IF THE OWNER FAILS TO NOTIFY THE CONTRACTOR AND GIVE THE CONTRACTOR AN OPPORTUNITY TO MAKE A CORRECTION, THE OWNER WAIVES THE RIGHTS TO REQUIRE CORRECTION BY THE CONTRACTOR AND TO MAKE A CLAIM FOR BREACH OF WARRANTY.
29. CONTRACTOR SHALL IN ALL RESPECTS COMPLY WITH ALL REGULATIONS OF THE BUILDING MANAGEMENT. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO OBTAIN SUCH REGULATIONS FROM THE BUILDING OWNER/MANAGEMENT. IN THE EVENT OF CONFLICT BETWEEN BUILDING REGULATIONS AND OTHER CONTRACT DOCUMENTS, THE ARCHITECT SHALL BE CONSULTED PRIOR TO PROCEEDING.
30. NO DEBRIS SHALL BE ALLOWED TO ACCUMULATE ON THE SITE. DEBRIS SHALL BE REMOVED BY THE CONTRACTOR AS THE JOB PROCEEDS.
31. THERE SHALL BE NO INTERRUPTION OR RELOCATION OF BUILDING SERVICES EXCEPT WITH THE CONSENT OF THE BUILDING MANAGER.
32. DIMENSIONS IN PARENTHESES ARE FOR REFERENCE ONLY.

DEMOLITION NOTES

1. ALL WORK TO BE PERFORMED BY LICENSED TECHNICIANS TO ACCOMPLISH THE WORK AS OUTLINED IN THIS SET OF DRAWINGS AND AS MAY BE REQUIRED BY THE WORK. ALL WORK SHALL BE DONE CAREFULLY AND NEATLY, IN A SYSTEMATIC MANNER.
2. ALL DEMOLITION AND TEAR-DOWN ARE TO BE DONE DURING NORMAL WORKING HOURS. CONTRACTOR IS RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH WORK AND PERMITS. GENERAL CONTRACTOR SHALL FIELD VERIFY SPACE PRIOR TO DEMOLITION. GC SHOULD NOTIFY DANG STUDIO OF ANY DISCREPANCIES AND OR CONCERNS IN REGARDS TO THE SCOPE OF WORK AND ITEMS THAT MAY CONFLICT WITH THIS PLAN.
3. CONTRACTOR IS RESPONSIBLE FOR DEMOLITION AND REMOVAL OF ALL DEBRIS AND DISCARDED MATERIALS, AND/OR EQUIPMENT AS INDICATED WITHIN THE SPACE.
4. REMOVE AND DISCARD ALL DEMOLISHED ITEMS IN A MANNER APPROVED BY THE TOWN OF MOUNT PLEASANT AND ANY OTHER GOVERNMENT AGENCY HAVING JURISDICTION.
5. EXISTING CLASS 2 FIRE ALARM SYSTEM WIRING SHALL BE PROTECTED DURING DEMOLITION, AND EXISTING DEVICES RECONNECTED FOR A FULLY OPERATIONAL SYSTEM AT THE END OF EACH WORK DAY. EXISTING WIRING THAT HAS BEEN DAMAGED DURING DEMOLITION SHALL BE REPLACED.

DEMOLITION NOTES (CONTINUED)

6. BUILDING SYSTEMS SUCH AS BUT NOT LIMITED TO FIRE ALARM SYSTEMS, VENTILATION AND FIRE-RATED SHAFTS, ELECTRICAL, INTERCOM, GAS, HEATING, OR PLUMBING RISERS AMONG OTHERS, MUST REMAIN INTACT AND MAY NOT BE DEMOLISHED, DAMAGED OR RELATED.
7. CONTRACTOR IS RESPONSIBLE FOR REMOVALS AND CAPPING OR REROUTING OF ANY MATERIALS DISCOVERED WITHIN SPACE AS EXCAVATIONS OR DEMOLITION OF EXISTING FLOORS, WALL AND CEILING AS REQUIRED BY THE WORK.
8. GENERAL CONTRACTOR SHALL REVIEW ASBESTOS REPORT TO DETERMINE THE SCOPE OF DEMOLITION AND REMOVAL. ASBESTOS RELATED DEMOLITION SHALL BE PERFORMED UNDER A SEPARATE CONTRACT BY BUILDING APPROVED LICENSED ASBESTOS CONTRACTOR. GENERAL CONTRACTOR SHALL SCHEDULE AND COORDINATE HIS WORK WITH THAT OF THE ABATEMENT (OR ANY OTHER OUTSIDE) CONTRACTOR AND ADVISE THE OWNER WITH ADEQUATE NOTICE PRIOR TO HAVING THE WORK PERFORMED.
9. ALL ITEMS SPECIFIED FOR REUSE ARE ASSUMED TO BE IN GOOD OPERATING CONDITION. GENERAL CONTRACTOR SHALL VERIFY CONDITIONS OF ALL ITEMS FOR REUSE AND SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES. GENERAL CONTRACTOR SHALL STORE ALL REUSABLE ITEMS SO AS TO PREVENT DAMAGE TO THEM. SHOULD DAMAGE OCCUR, GENERAL CONTRACTOR SHALL REPLACE OR REPAIR SUCH ITEMS, AS REQUIRED, AT HIS SOLE COST AND EXPENSE.
10. FOR ALL EXISTING CONSTRUCTION, CONTRACTOR SHALL MAKE ALL NECESSARY REMOVALS AND PATCH, LAMINATE, OR REPAIR AS NECESSARY ANY DAMAGED PARTITIONS TO REMAIN IN ORDER TO PROVIDE SMOOTH, MONOTONIC SURFACE FOR NEW FINISHES.
11. REMOVE OR RELOCATE ALL WIRING AND PLUMBING AFFECTED BY REMOVAL OF PARTITIONS. REMOVED PIPES AND/OR LINES SHALL BE CUT TO A POINT OF CONCEALMENT BEHIND OR BELOW FINISH SURFACES, AND SHALL BE PROPERLY CAPPED OR PLUGGED.
12. ALL PENETRATIONS IN FLOOR SLAB, DECK ABOVE OR RATED WALLS ARE TO BE REPAIRED. AND FIRE STOPPED, REMOVE UNUSED TELEPHONE SWITCHES/EQUIPMENT AND RELATED TELEPHONE CABLEING IN ALL TELEPHONE CLOSETS.
13. NO INTERIOR CONCRETE OR GYPSUM BLOCK SHALL BE CHANNIELED FOR THE PURPOSES OF RUNNING ELECTRICAL OR PLUMBING LINES.
14. THE DELIVERY, HANDLING, AND INSTALLATION OF MATERIALS, EQUIPMENT, AND DEBRIS MUST BE ARRANGED TO AVOID ANY INCONVENIENCE AND ANNOYANCE TO OTHER TENANTS.
15. CONTRACTOR SHALL CONFORM TO BUILDING STANDARD PROCEDURES FOR THE SCHEDULING OF DEMOLITION AND CORE DRILLING, AND FOR THE CARTING OF RUBBER THROUGH THE BUILDING. ANY OVERTIME OR ELEVATOR CHARGES SHALL BE BORNE BY THE CONTRACTOR.
16. PRIOR TO REMOVING ANY BUILDING STANDARD MATERIALS, E.G. DOOR BUCKS, METAL PARTITIONS AND LIGHT FIXTURES, A PROPER RELEASE MUST BE SECURED FROM THE BUILDING MANAGER.
17. ALL PUBLIC AREAS SUCH AS CORRIDORS, TOILETS, SERVICE HALLS, AND ELEVATOR, STAIR, VENTILATION AND HOST WAY SHAFTS, SHALL BE PROTECTED TO THE SATISFACTION OF THE BUILDING MANAGEMENT, AND MAY NOT BE PROXIED, CHANNIELED, OR MODIFIED IN ANY WAY WITHOUT THE EXPRESSED PERMISSION OF THE BUILDING MANAGEMENT. EQUIPMENT AND OTHER PROPERTY BELONGING TO THE BUILDING SHALL ALSO RECEIVE PROTECTION AND REPAIRING, IF DAMAGED IN THE COURSE OF CONSTRUCTION, TO THE SATISFACTION OF THE BUILDING MANAGEMENT.
18. CONTRACTOR SHALL INSTALL ADEQUATE PROTECTION OF BUILDING PAPER, MASONRY, OR OTHER APPROVED MATERIAL ON ALL FINISHED SURFACES AS DIRECTED BY THE ARCHITECT PRIOR TO THE OWNERS MOVING DATE, AND SHALL REMOVE SAME FOLLOWING COMPLETION OF THE MOVE.
19. ALL EXISTING SURFACES AND EQUIPMENT TO REMAIN SHALL BE FULLY PROTECTED FROM DAMAGE. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR DAMAGE AND SHALL MAKE REPAIRS REQUIRED WITHOUT ADDITIONAL COST TO THE OWNER.
20. PROTECTED PER THE REQUIREMENTS OF SUB-CHAPTER 19 OF THE NYC BUILDING CODE, ALL VENT OPENINGS, CONVECTOR, ENTRY AND SERVICE DOORS SHALL BE SEALED OFF WITH POLYETHYLENE SHEETING 6 MIL THICK OR GREATER AND/OR DUCT TAPED DURING DEMOLITION AND CONSTRUCTION TO PREVENT DUST FROM INFILTRATING BUILDING SYSTEMS, CORRIDORS AND STAIRS.
21. CONTRACTOR SHALL PROVIDE, ERECT AND MAINTAIN ALL TEMPORARY BARRIER AND GUARDS, AND ALL TEMPORARY SHORING AND BRACING AS REQUIRED BY THE DEPARTMENT OF BUILDING RULES AND REGULATIONS.
22. CONTRACTOR SHALL PROVIDE ADEQUATE WEATHER PROTECTION FOR THE BUILDING AND ITS CONTENTS DURING THE COURSE OF THE WORK. ALL OPENINGS IN ANY WALL OR ROOF SHALL BE PROTECTED FROM ALL FORMS OF WEATHER OR WATER PENETRATION.

DEMOLITION NOTES (CONTINUED)

23. THE USE OF A JACKHAMMER ON FLOORING OR ANY OTHER SURFACE IS PROHIBITED.
24. EXCESSIVE NOISE-CREATING TOOLS AND METHODS SHOULD NOT BE UTILIZED DURING THE RENOVATION, CHOPPING HAMMERS, HAMMER DRILLS, AND OTHER PNEUMATIC TOOLS REQUIRE SPECIAL BOARD APPROVAL.

ELECTRIC NOTES

1. ALL ELECTRIC WORK TO BE PERFORMED BY A LICENSED ELECTRICIAN. THE WORK SHALL BE FILED BY THE ELECTRICIAN OR CONTRACTOR WITH THE BUREAU OF ELECTRICAL CONTROL AND A CERTIFICATE OF ELECTRICAL INSPECTION MUST BE PROVIDED TO BUILDING MANAGEMENT UPON COMPLETION OF WORK.
2. ALL ELECTRICAL WORK WITHIN UNIT UNDER RENOVATION SHALL COMPLY WITH THE REQUIREMENTS OF NATIONAL ELECTRICAL CODE 2008, AS AMENDED BY LOCAL CITY, COUNTY AND ALL OTHER LAWS, ORDINANCES, RULES AND REGULATIONS.
3. ALL POWER BROUGHT FROM EXISTING PANELS OUTSIDE THE UNIT SHALL BE REMOVED AND REINSTALLED IN NEW BREAKER PANELS WITHIN THE UNIT. FURTHERMORE, ALL NON-CONFORMING WIRING SHALL BE REMOVED AND REPLACED WITH CODE-COMPLIANT MATERIAL.
4. NO CHOPPING OR CHANNELING OF STRUCTURAL SLABS, FIREPROOFING OF STRUCTURAL ELEMENTS OR THE DEMISING PARTITIONS BETWEEN THE UNIT AND THE PUBLIC HALL IS PERMITTED FOR ANY REASON.
5. THERE SHALL BE NO EXPOSED WIRING OF ANY KIND.
6. NO WORK WHICH WILL AFFECT THE ELECTRICAL SERVICE OR RELOCATION OF ANY ELECTRICAL WIRING TO ANY UNIT SHALL BE PERMITTED UNLESS AND UNTIL A PROPOSED ELECTRICAL PLAN INCLUDING THE ELECTRIC GRID IS SUBMITTED TO AND APPROVED IN WRITING BY THE CORPORATIONS ARCHITECT AND/OR CONSULTING ENGINEER OF THE ARCHITECTS CHOICE.
7. AN ELECTRIC GRID, AS REQUIRED BY THE CORPORATION AND PREPARED BY THE BUILDINGS ENGINEER, MUST BE COMPLETED BY THE ELECTRICIAN, AND APPROVED BY THE COOPERATION.

PLUMBING NOTES

1. ALL PLUMBING WORK TO BE PERFORMED BY A LICENSED PLUMBER. UPON COMPLETION THE WORK MUST BE APPROVED BY THE LOCAL PERMITTING JURISDICTION.
2. PLUMBER MUST CHECK EXISTING WASTE AND VENT LINES TO BE FREE OF OBSTRUCTION.
3. CHECK VALVES MUST BE FURNISHED ON BRANCH PIPING FOR HOT AND COLD WATER SUPPLY ADJACENT TO MASTER SHUT-OFF VALVES. CHECK VALVES MUST BE QUIET TYPE.
4. NEW SHUT-OFF VALVES MUST BE INSTALLED THAT ARE EASILY ACCESSIBLE. PLUMBER IS RESPONSIBLE FOR LOCATING AND TESTING ALL PLUMBING SHUT-OFF VALVES.
5. ALL EXISTING VALVES MUST BE ACCESSIBLE, EITHER EXPOSED OR FROM ACCESS PANELS.
6. ALL HOT AND COLD WATER PIPING IS TO BE INSULATED AS SHOWN ON DRAWING P-105. THIS INCLUDES ALL EXISTING LINES TO REMAIN THAT HAVE BEEN EXPOSED BY DEMOLITION.
7. ALL HOT AND COLD WATER PIPING AS FIXTURES IS TO BE TERMINATED WITH WATER HAMMER ARRESTORS FINISH ABOVE THE FIXTURE.
8. NO REINFORCED RUBBER HOSE WILL BE ALLOWED IN PIPING TO FIXTURES AND APPLIANCES. HIGH PRESSURE NO BURST GRADED STAINLESS STEEL WILL BE ALLOWED TO HOOK-UP FIXTURES AND APPLIANCES THAT DO NOT HAVE ACCESS AFTER INSTALLATION IF DEMONSTRATED THERE IS NO PRACTICAL ALTERNATIVE.
9. IN NO CASE SHALL THE CONTRACTOR ENCLOSE OR OBSTRUCT ACCESS TO THE EXISTING HEAT OR WATER PIPES, VALVES OR OTHER EQUIPMENT NOT PRESENTLY ENCLOSED, WITHOUT THE CORPORATIONS PRIOR APPROVAL.
10. NO PLUMBING OR HEATING RISERS MAY BE RELOCATED.
11. WHEN PLUMBING LINES ARE REPLACED OR REROUTED, UNDER NO CIRCUMSTANCES SHALL THEY PENETRATE STRUCTURAL SLABS, NOR SHALL THEY BE PLACED WITHIN DEMISING PARTITIONS BETWEEN UNITS, OR BETWEEN THE UNIT AND THE PUBLIC HALL.
12. LOCATIONS FOR ALL FLOOR CLEAN OUTS TO BE COORDINATED WITH ARCHITECT FOR LAYOUT APPROVAL PRIOR TO ANY CUTTING OR WORK.

GENERAL NOTES

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RODEN RESIDENCE - POOL EQUIP.

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CHARLESTON, SC 29401  
TMS # 458 09 03 101

REV	DESCRIPTION	DATE
1	BZA	1/05/2023

NORTH

SCALE:  
N.T.S.  
DATE  
11.07.2022  
PROJECT NO:  
2204  
PROJECT PHASE:  
PD

SEAL:



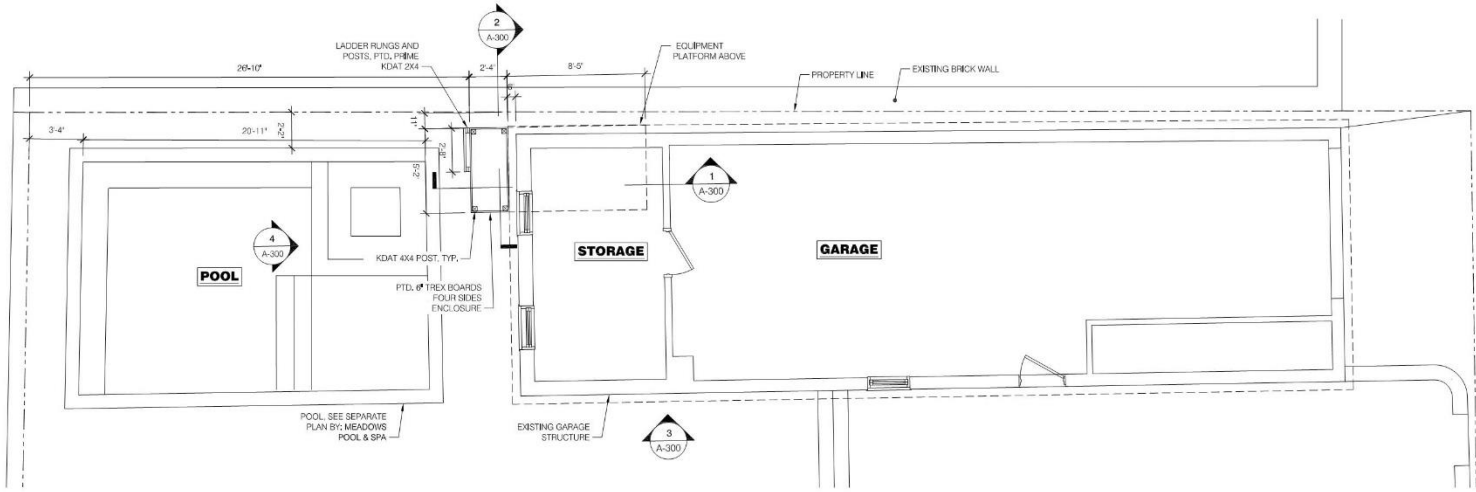
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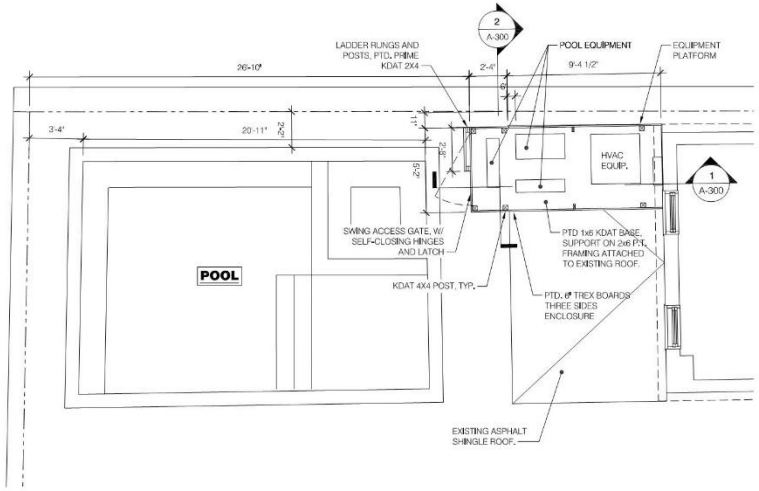
PROPOSAL IS LIMITED TO THE REQUEST FOR AN NEW ACCESSORY STRUCTURE FOR PROVIDING AN ELEVATED SHED TO HOUSE NEW POOL PUMP, HEATING AND COOLING EQUIPMENT.

**Z-000**

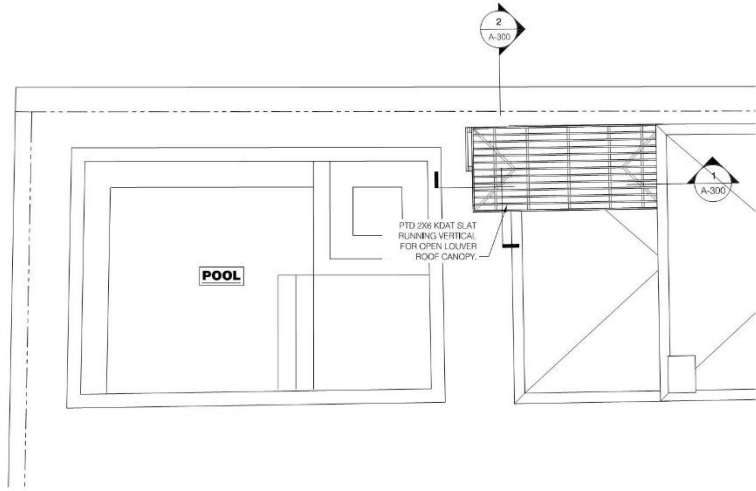




1 PROPOSED GROUND LEVEL PLAN  
SCALE: 1/4" = 1'-0"



2 PROPOSED EQUIPMENT LEVEL PLAN  
SCALE: 1/4" = 1'-0"



3 PROPOSED ROOF LEVEL PLAN  
SCALE: 1/4" = 1'-0"

CONSTRUCTION NOTES

1. ALL DIMENSIONS TO BE COORDINATED IN THE FIELD WITH ARCHITECT AND ARE SUBJECT TO EXISTING CONDITIONS. DIMENSIONS MARKED AS EQUAL (EQ) APPLY ONLY WITHIN A GIVEN STRING OF DIMENSIONS UNLESS OTHERWISE MARKED.
2. PROVIDE SHOP DRAWINGS FOR ARCHITECT'S APPROVAL BEFORE FABRICATION.
3. FOR BIDDING AND CONSTRUCTION, IN THE CASE OF ANY DISCREPANCIES BETWEEN THE DRAWINGS OR SPECIFICATIONS, THE MORE STRINGENT REQUIREMENT, THE HIGHER QUANTITY OF ITEMS OR MATERIALS, OR HIGHER QUALITY MATERIALS, PRODUCTS OR MEANS AND METHODS SHALL PREVAIL, UNLESS DEEMED OTHERWISE BY THE ARCHITECT.
4. ANY MATERIAL, FIREPROOFING, OR FINISH DAMAGED DURING CONSTRUCTION SHALL BE REPLACED BY THE CONTRACTOR AT NO ADDITIONAL COST.
5. PRIOR TO CLOSING WALLS, CONTRACTOR TO COORDINATE ALL REQUIRED APPROVALS AND INSPECTIONS INCLUDING REVIEW BY ARCHITECT.
6. CONTRACTOR TO PROVIDE FIRE RETARDANT BLOCKING AT ALL MILLWORK, WALL HUNG EQUIPMENT, ETC. AS REQD.
7. CONTRACTOR TO PROVIDE BLOCKING AS REQD IN STORAGE AREAS, FOR MOUNTING ALL SHELVING AND DISPLAY CABINETS, FOR ALL LIGHT FIXTURES, AND ALL WALL MOUNTED FIXTURES AND GRAB BARS.
8. DIMENSIONS IN PARENTHESES ARE FOR REFERENCE ONLY.
9. ALL WALL PARTITIONS TO BE TYPE A U.G.N.
10. ELECTRICIAN TO MARK ALL SWITCH, OUTLET, SPEAKER, CAMERA AND SECURITY LOCATIONS IN FIELD AND WALK THROUGH WITH ARCHITECT BEFORE INSTALLATION - ALL LOCATIONS ARE SUBJECT TO ARCHITECT APPROVAL.
11. NO EXPOSED ELECTRICAL CONDUIT PERMITTED UNLESS SPECIFICALLY APPROVED BY ARCHITECT IN FIELD PRIOR TO INSTALLATION.
12. G.C. TO COORDINATE ALL NECESSARY CEILING ACCESS PANELS WITH ARCHITECT.
13. ALL EXISTING WALLS TO RECEIVE NEW LAYER OF 5/8" PTD, G.W.B. SKINNED SMOOTH.
14. ALL ABANDONED ELECTRICAL BOXES WITH REMAINING WIRING ENTERING OR LEAVING SHALL REMAIN ACCESSIBLE WITH REMOVABLE COVERS.
15. REFER TO MECHANICAL DRAWINGS FOR ADDITIONAL REQUIREMENTS FOR SYSTEM POWER AND DIFFUSER LOCATIONS, CG RESPONSIBLE FOR COORDINATION BETWEEN ARCH AND MECH PLANS AND CEILING LAYOUT.
16. ALL WALLS TO BE PAINTED PT-1, U.G.N.
17. ALL FLOORING THROUGHOUT TO BE FL-1, SEE FINISH SCHEDULE FOR MATERIAL SELECTION.
18. ALL EXISTING DOORS TO REMAIN. PROVIDE NEW PAINT, REKEY ALL LOCKING DOORS, REPLACE ALL BUMPERS AND RETURN/REPAIR CLOSERS AS REQUIRED.
19. PER SC 1015.7 GUARD RAILS ARE NOT REQUIRED WHERE ROOF HATCH OPENING IS LOCATED WITHIN 10 FEET OF THE ROOF EDGE.

LEGEND

EXISTING WALL CONSTRUCTION	NEW PART. HGT. CONSTRUCTION
NEW FULL HGT. WALL CONSTRUCTION	NEW MILLWORK CONSTRUCTION
SECTION TAG	DOOR TAG
ELEVATION TAG	WINDOW TAG
DETAIL TAG	GRADE TAG
PARTITION TAG	ROOM #
	ROOM NAME AND NO.
	ROOM AREA

BBA

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REV	DESCRIPTION	DATE
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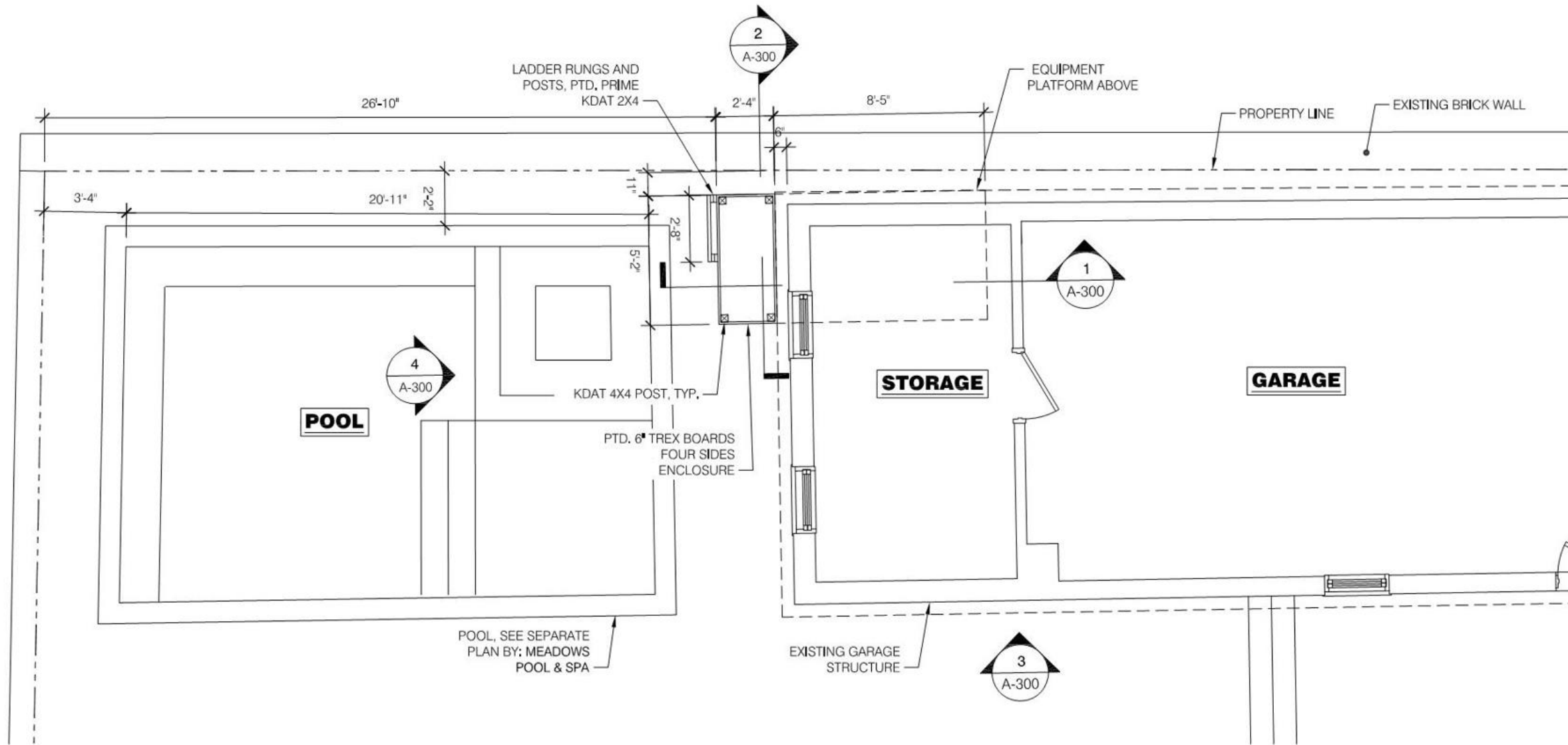


SCALE:  
1/4" = 1'-0"  
DATE:  
11/07/2022  
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PROPOSED PLANS

A-100

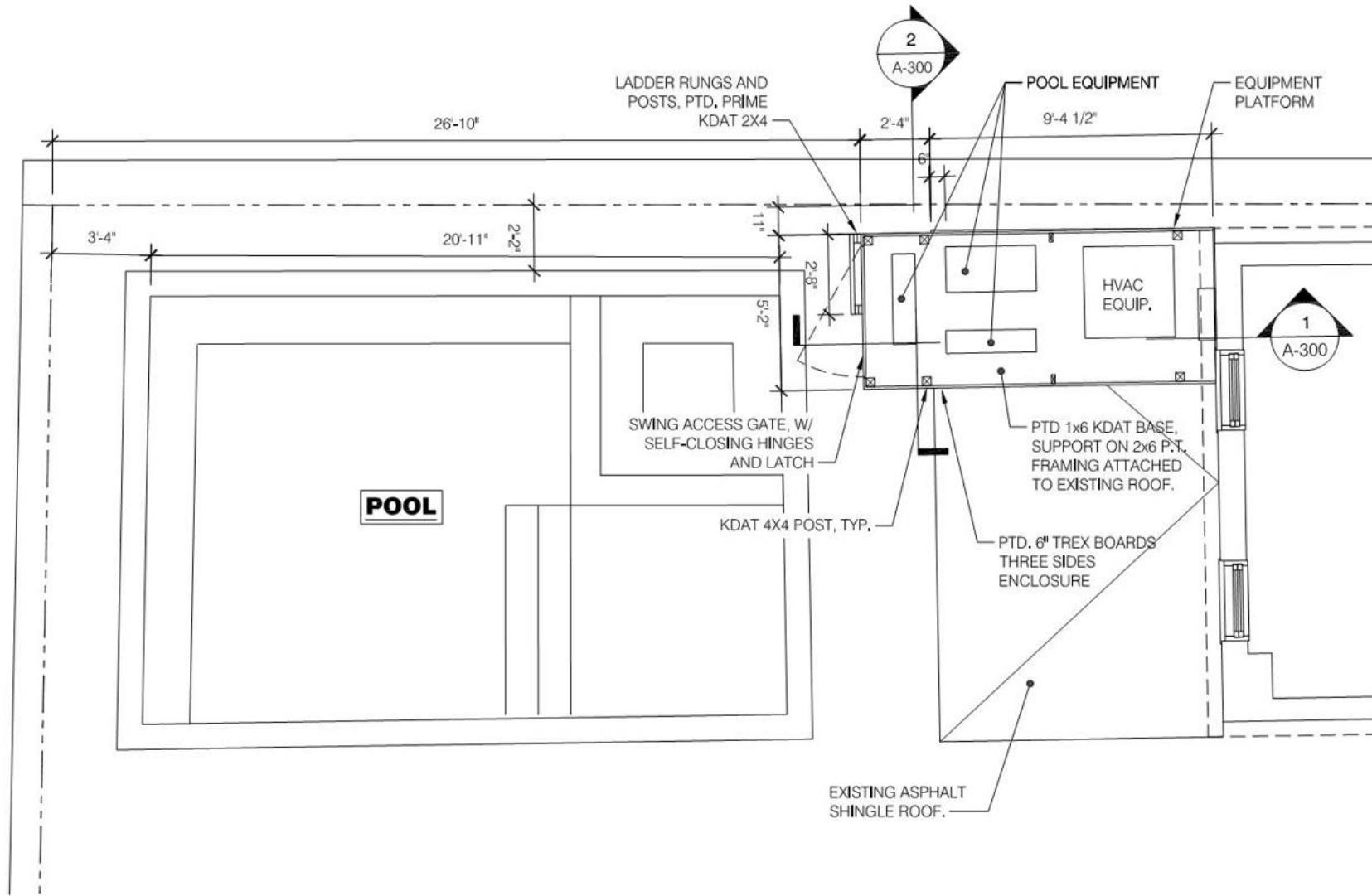


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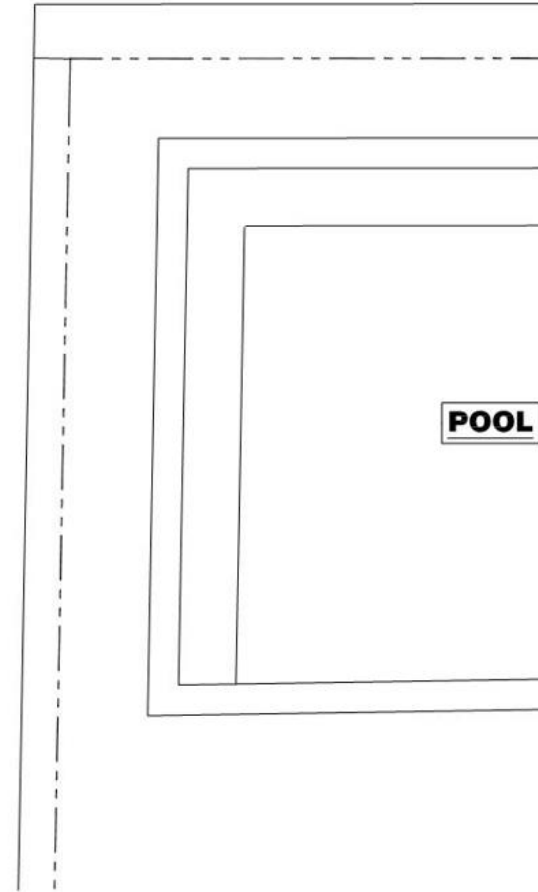
# PROPOSED GROUND LEVEL PLAN

SCALE: 1/4" = 1'-0"

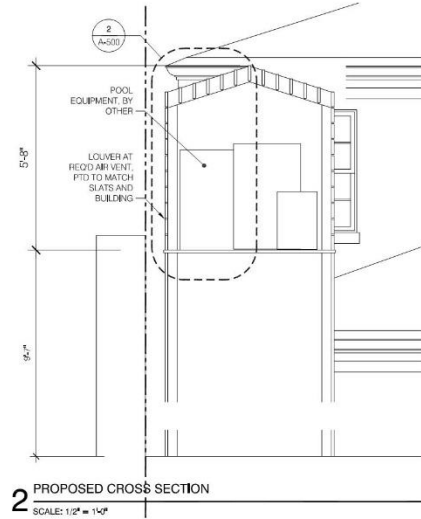
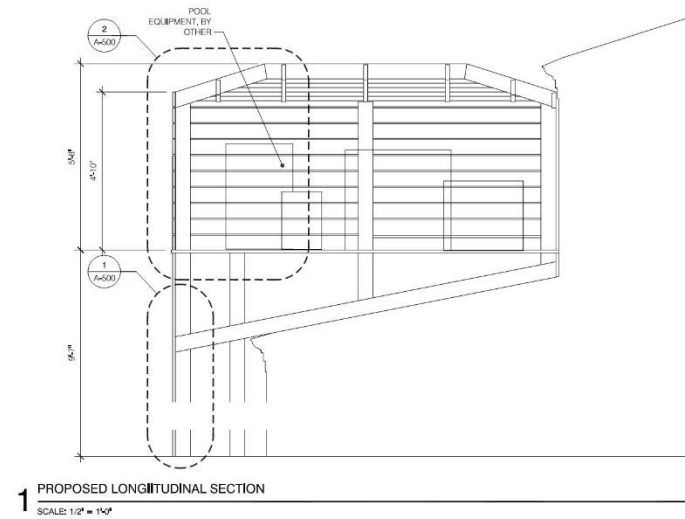




2 PROPOSED EQUIPMENT LEVEL PLAN  
SCALE: 1/4" = 1'-0"



3 PROPOSED ROOF LEVEL PLAN  
SCALE: 1/4" = 1'-0"

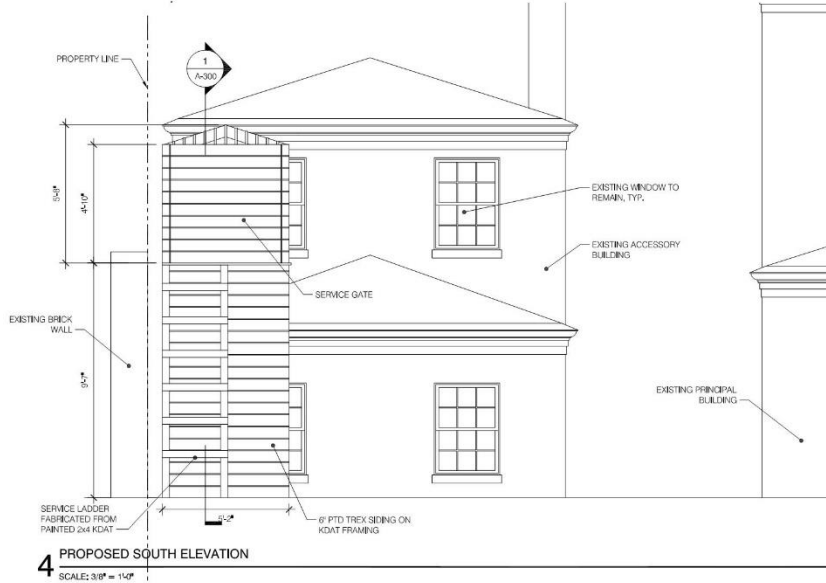
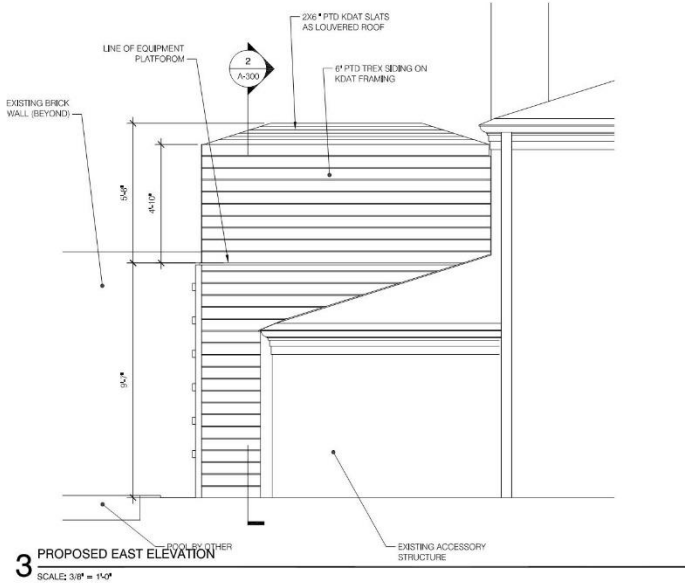


FINISH NOTES

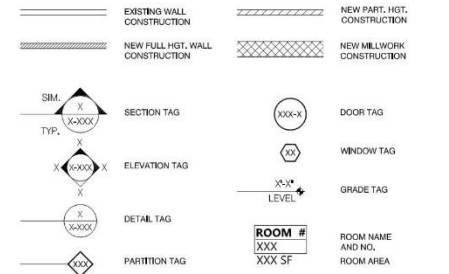
- G.C. TO PROVIDE CONTROL SAMPLES OF ALL FINISH MATERIALS FOR ARCHITECT'S REVIEW AND APPROVAL PRIOR TO INSTALLATION.
- EXPOSED ELECTRICAL CONDUITS AND METAL PIPING TO BE PAINTED TO MATCH SLATS AND EXISTING BUILDING.
- PROVIDE PROTECTION FOR ALL EXISTING WORK TO REMAIN.
- G.C. TO PROVIDE CONTROL SAMPLES OF ALL FINISH MATERIALS FOR ARCHITECT'S REVIEW AND APPROVAL PRIOR TO INSTALLATION.
- G.C. TO PROVIDE SAMPLE AREAS (6"X6" MIN.) OF ALL SELECTED PAINT COLORS FOR CLIENT APPROVAL PRIOR TO COMMENCING PAINTING.
- G.C. TO PROVIDE 1 GALLON OF EACH PAINT COLOR FOR OWNERS MAINTENANCE.
- G.C. TO PROVIDE ALL REQUIRED PAINT TOUCH UPS AFTER FINAL MILLWORK AND FURNITURE DELIVERY.

FRAMING NOTES

- ALL CONSTRUCTION TO BE DONE IN ACCORDANCE WITH STATE AND LOCAL ORDINANCES.
- FIELD VERIFY ALL MEASUREMENTS.
- PLYWOOD SHEATHING TO BE NAILED IN ACCORDANCE WITH ICC 600-2014.
- ALL STRUCTURAL FRAMING LUMBER SHALL BE GRADED NO. 2 OR BETTER SOUTHERN YELLOW PINE.
- REFER TO SIMPSON-TIE TECHNICAL BULLETIN DATED 9/01/2010 FOR PROPER INSTALLATION OF ALL CLIPS AND TIES.
- FLOOR LIVE LOAD OF 100 PSF AND DEAD LOAD OF 10 PSF.
- ALL DIMENSIONAL LUMBER, LAMINATE VENEER LUMBER, TRUSS, OR OTHER TIMBER MEMBERS SPECIFIED SHALL COMPLY TO THE RECENTLY PUBLISHED DATA SHEETS GIVEN IN RELEVANCE TO INDIVIDUAL MEMBER COMPOSITION PER SOUTHERN REGION OF THE UNITED STATES.  
7.1. NDS, & SUPPLEMENT NDS BY AMERICAN WOOD COUNCIL.  
7.2. TRUSSES PER UNIVERSAL FOREST PRODUCTS, INC.  
7.3. SPAN & LOADIN TABLES PER SOUTHERN FOREST PRODUCTS ASSOCIATION.
- ALL DIMENSIONAL LUMBER, LAMINATED VENEER LUMBER, WOOD TRUSS, OR OTHER TIMBER BEAMS SHALL COMPLY WITH SERVICE DEFLECTIONS OF L/360 WHERE 'L' = LENGTH (FT) x 12.
- ALL FASTENING SCHEDULES FOR ANY FORM OF CONSTRUCTION MATERIAL SIMILAR TO MATERIALS MENTIONED IN THESE NOTES SHALL COMPLY WITH THE MINIMUM RECOMMENDATIONS OF IRC TABLE 2304.10.1 OR APPROVED EQUAL.
- ALL CONCRETE WORK SHALL CONFORM WITH ACI 301, ACI 318 AND PCPS LATEST EDITIONS, LUM.
- ALL CONCRETE TO BE 3000PSI CURE STRENGTH LUM.
- ALL BOLTS USED IN CONNECTIONS SHALL BE ASTM A307 BOLTS IN SIZES AS INDICATED IN THE PLAN. ALL BOLTS SHALL BE INSTALLED WITH 1-1/2" DIA GALVANIZED WASHERS UNDER THE HEAD AND NUT AND SHALL BE TORQUED UNTIL THE WOOD JOIST BEGINS TO YIELD UNDER THE WASHERS. BOLTS SHALL NOT BE OVER TORQUED SO AS TO DEFORM THE WASHERS OR DAMAGE THE LUMBER. BOLT SIZE SHALL NOT EXCEED BOLT DIAMETER BY MORE THAN 1/16".
- NO SPLICING OF REINFORCEMENT PERMITTED EXCEPT AS NOTED. PROVIDE ADDITIONAL BARS AND STIRRUPS AS REQUIRED TO SECURE REINFORCING IN PLACE.
- NO WELDING OF REINFORCING UNLESS NOTED OTHERWISE.



LEGEND



BBA

RODEN RESIDENCE - POOL EQUIP.

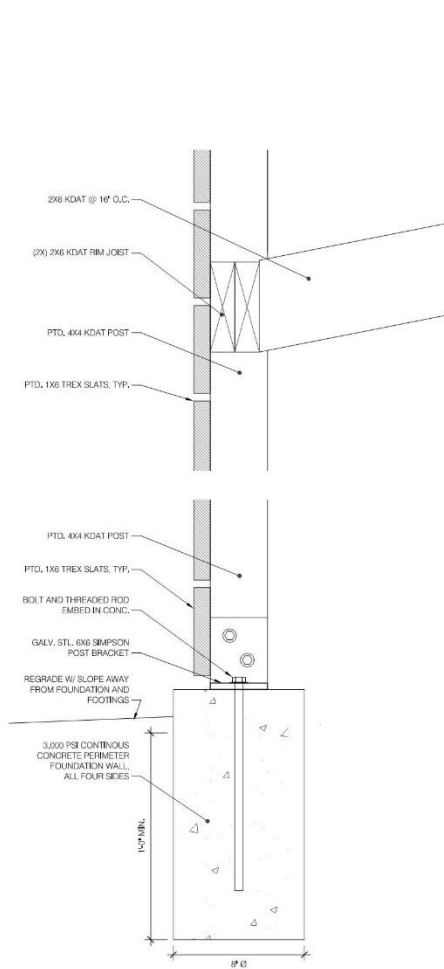
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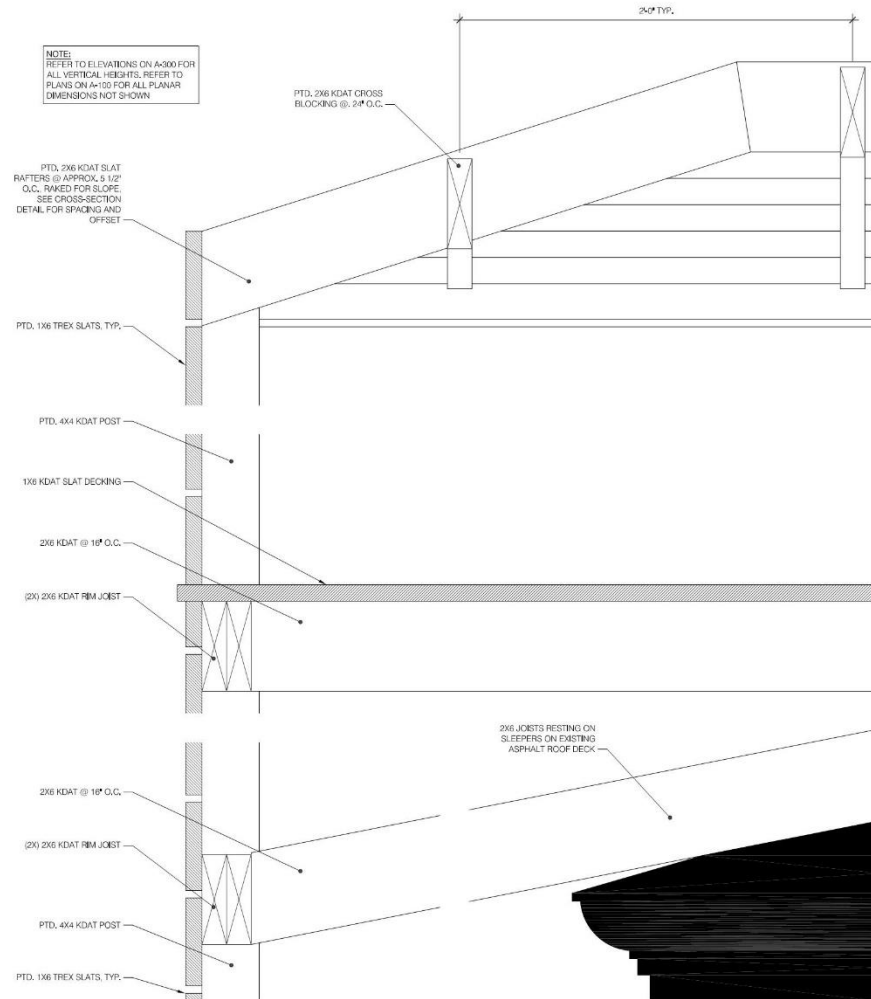
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1	BZA	1/05/2023		AS NOTED DATE: 11/07/2022 PROJECT NO: 2204 PROJECT PHASE: PD	<div>STATE OF SOUTH CAROLINA BABAK BRYAN ARCHITECT llc AR# 101417 REGISTERED ARCHITECT</div> <div>STATE OF SOUTH CAROLINA BABAK BRYAN ARCHITECT llc AR# 101417 REGISTERED ARCHITECT</div> <div>A-300</div>

PROPOSED SECT'S & EXT. ELEVATIONS

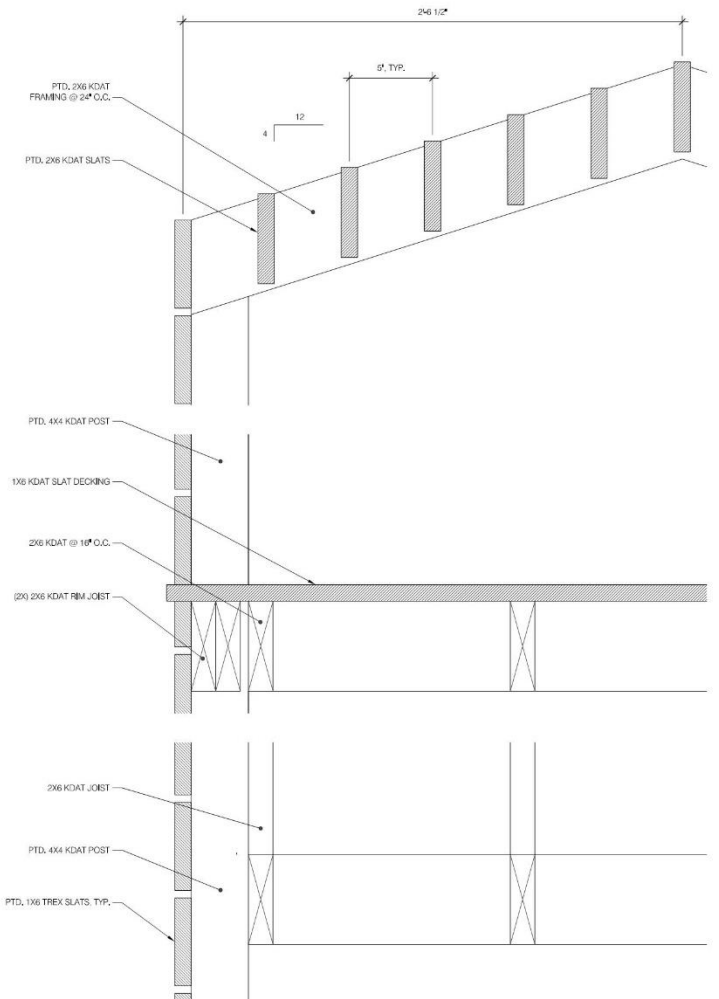




**1** TYPICAL STAND BASE/FOOT DETAIL  
SCALE: 3" = 1'-0"



**2** EQUIPMENT STAND PLATFORM AND ROOF DETAIL  
SCALE: 3" = 1'-0"



**3** EQUIPMENT STAND PLATFORM AND ROOF DETAIL  
SCALE: 3" = 1'-0"

**BBA**

Babak Bryan Architect llc  
12 Queen Street  
Charleston, SC 29401  
tel. +1-843-882-8335  
info@babakbryan.com

## RODEN RESIDENCE - POOL EQUIP.

9 ELLIOTT STREET  
CHARLESTON, SC 29401  
TMS # 458 09 03 101

REV	DESCRIPTION	DATE
1	BZA	1/05/2023

NORTH

SCALE:  
3" = 1'-0"  
DATE:  
11/07/2022  
PROJECT NO:  
2204  
PROJECT PHASE:  
PD



FRAMING DETAILS

**A-500**

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1 EXISTING EQUIPMENT STAND  
SCALE: N.T.S.



2 PROPOSED EQUIPMENT STAND  
SCALE: N.T.S.

**BBA**

Babak Bryan Architect llc  
12 Queen Street  
Charleston, SC 29401  
tel. +1-843-882-8335  
info@babakbryan.com

**RODEN RESIDENCE - POOL EQUIP.**

9 ELLIOTT STREET  
CHARLESTON, SC 29401  
TMS # 458 09 03 101

REV	DESCRIPTION	DATE
1	BZA	1/05/2023

SCALE:  
N.T.S.  
DATE:  
11/07/2022  
PROJECT NO:  
2204  
PROJECT PHASE:  
PD

SEAL:



EXISTING PHOTO &  
PROPOSED RENDERING

**A-600**



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1 EXISTING EQUIPMENT STAND  
SCALE: N.T.S.



2 PROPOSED EQUIPMENT STAND  
SCALE: N.T.S.

**BBA**

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Charleston, SC 29401  
tel. +1-843-882-8335  
info@babakbryan.com

**RODEN RESIDENCE - POOL EQUIP.**

9 ELLIOTT STREET  
CHARLESTON, SC 29401  
TMS # 458 09 03 101

REV	DESCRIPTION	DATE
1	BZA	1/05/2023

SCALE:  
N.T.S.  
DATE:  
11/07/2022  
PROJECT NO:  
2204  
PROJECT PHASE:  
PD

SEAL:



EXISTING PHOTO &  
PROPOSED RENDERING

**A-601**

## **Agenda Item #B-4**

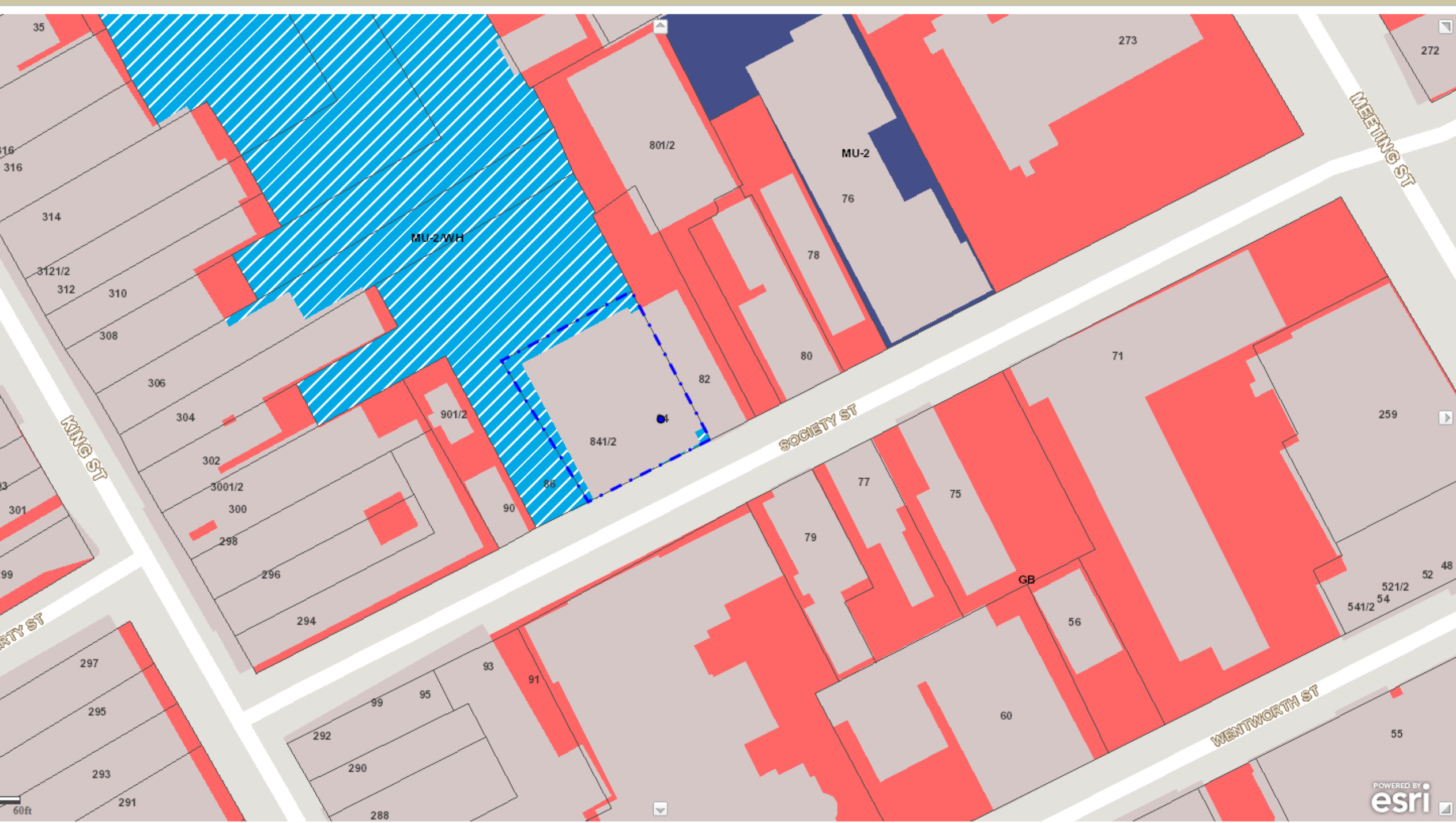
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**84-88 SOCIETY STREET  
(ANSONBOROUGH)**

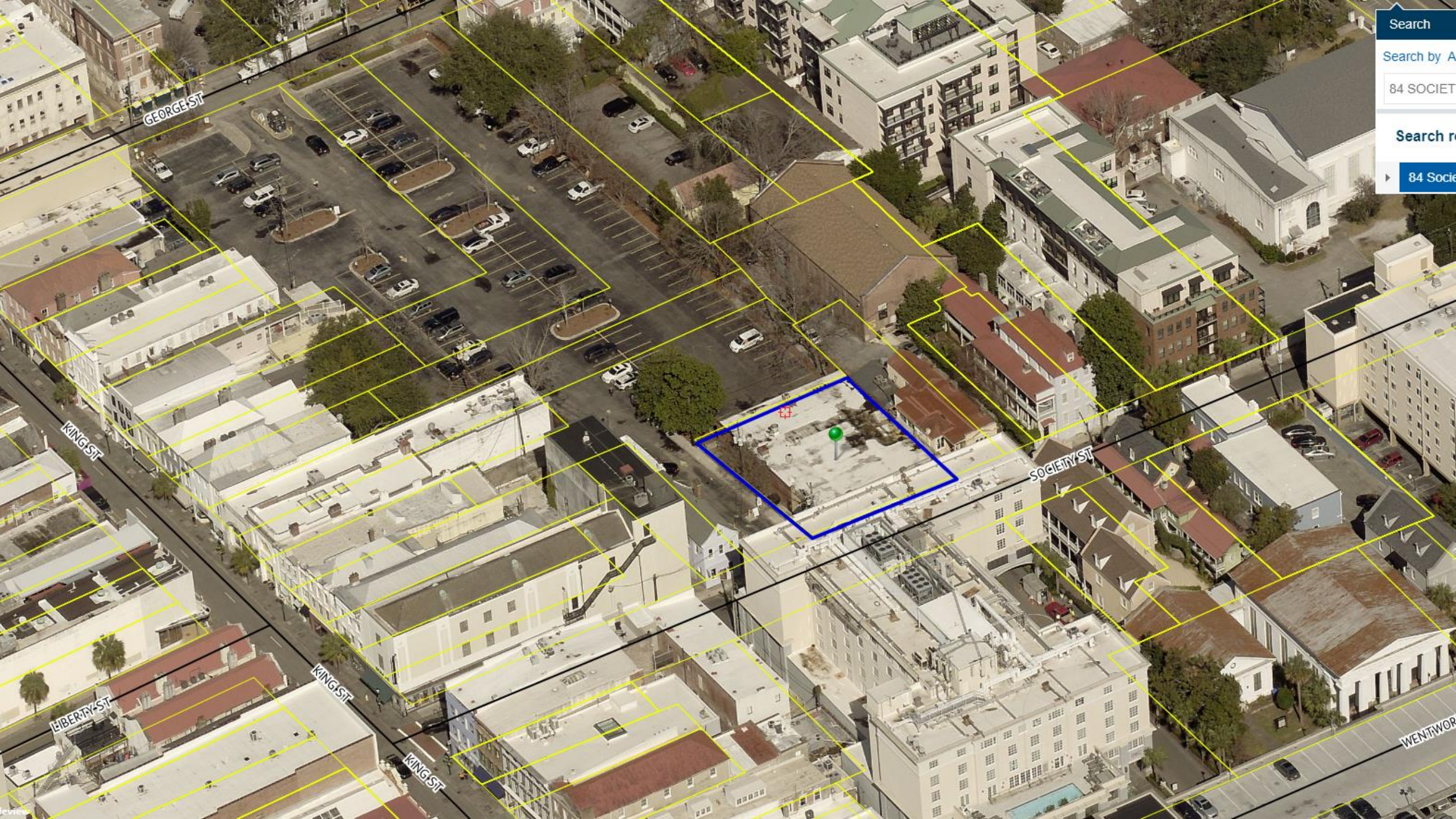
**TMS #457-04-04-025 and 113**

**Request special exception under Sec. 54-220 to allow a 50-unit accommodations use in a MU-2/WH (Mixed-Use/Workforce Housing) zone district.**









Search

Search by A

84 SOCIET

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84 Socie





City of Charleston

**Instructions** – This application, along with the required information, must be submitted in PDF format to the Board Administrator at [ASHBYP@charleston-sc.gov](mailto:ASHBYP@charleston-sc.gov). Applicant will then be invoiced for fee. **Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda.** A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Zoning. **Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days.** An appeal to the Board during this appeal period stays all further action on the application.

**THE APPLICANT HEREBY REQUESTS:**

- ☒ A Variance and/or Special Exception as indicated on page 2 of this application.  
☐ Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).  
☐ Extension of an unexpired Variance and/or Special Exception approval.

**MEETING DATE REQUESTED:** February 15, 2023

Property Address 84-88 Society Street TMS # 457-04-04-025 & -113

Property Owner GS Acquisitions, LLC Daytime Phone 843-414-9753

Applicant Brian Hellman, Hellman & Yates, PA Daytime Phone 843-414-9753

Applicant's Mailing Address 105 Broad Street, Third Floor, Charleston, SC 29401

E-mail Address bh@hellmanyates.com

Relationship of applicant to owner (same, representative, prospective buyer, other) Attorney

Zoning of property MU-2/WH

**Information required with application: (check information submitted)**

- ☒ Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested  
☐ For new construction or additions within a flood zone, show HVAC units and platform on scaled plans  
☐ Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff  
☒ Plans or documents necessary to show compliance with special exception requirements  
☐ YES or ☒ NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

**Optional but very helpful information:**

- ☒ Photographs  
☐ Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant Brian Hellman Date January 23, 2023

For office use only	
Date application received _____	Time application received _____
Staffperson _____	Receipt # _____

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

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**Variance Test:** The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

Please see the attached application narrative and development plans, all of which are incorporated herein.

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**All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.**

BRIAN A. HELLMAN  
DIRECT VOICE 843 414-9753  
BH@HELLMANYATES.COM

HELLMAN & YATES, PA  
105 BROAD STREET, THIRD FLOOR  
CHARLESTON, SOUTH CAROLINA 29401  
V 843 266-9099  
F 843 266-9188

January 23, 2023  
Page 2

January 23, 2023

Lee Batchelder AICP  
Zoning Administrator  
Department of Planning, Preservation & Sustainability  
City of Charleston  
2 George Street  
Charleston, South Carolina 29401

RE: Request for Special Exception for Accommodation Use of 84, 84 1/2, and 86 Society Street (TMS Nos. 457-04-04-025 & 457-04-04-113)

Dear Mr. Batchelder

On behalf of GS Acquisitions, LLC ("GSA"), the enclosed supporting materials are provided to assist the City of Charleston Board of Zoning Appeals in its consideration of GSA's request for a Special Exception for Accommodation Use for the development of a hotel as a portion of the residential and accommodations mixed-use development at 84, 84 1/2, and 86 Society Street.

GSA's property at 84, 84 1/2, and 86 Society Street consists of two parcels totaling approximately 0.468 acres. The property abuts retail, restaurant, and parking uses. It was developed and formerly used as a theatre, then restaurant and service uses, together with parking. Portions of the existing building at 84 and 84 1/2 Society Street are incorporated in the proposed structure, which, as a result of the design parameters, has already received BAR approval.

Section 54-220 of the City of Charleston Zoning Code provides the criteria for a special exception to permit an Accommodation Use in the Accommodations Overlay Zone. The proposed hotel is fully compliant with all of the section as shown below. We will take the liberty of recasting the Special Exception criteria of Sec 54-220 with our compliance below in bold.

Sec. 54-220. - Accommodations overlay zone.

b. Permitted uses. In any Accommodations overlay zone, land may be used and buildings or structures may be erected, altered or used for any purpose allowed by the base zoning district as listed in Article 2: Part 3, and the following uses, subject to the approval of the Board of Zoning Appeals-Zoning:

1. Accommodations uses. The Board of Zoning Appeals-Zoning may permit accommodations uses as an exception where it finds that:

(a) the accommodations use will not result in a net loss of dwelling units that have been occupied within five years of the date of application for the exception; provided however, the BZA-Z may approve the alteration or replacement of such existing dwelling units on the same site as the accommodations use, or within a radius of one quarter (1/4) mile from the site if the proposed off site location does

not result in an over concentration of low income households, as defined by the U.S. Department of Housing and Urban Development, as adjusted by the Department of Housing and Community Development; and provided further, the BZA-Z shall require any such alteration or replacement to include dwelling units of substantially the same size and type of those being altered or replaced and shall require that no certificate of occupancy shall be issued for the accommodations uses until either a certificate of occupancy has been issued for all dwelling units being altered or replaced or irrevocable bonds or letters of credit in favor of the City in amounts equivalent to one hundred twenty-five (125%) per cent of the costs to complete construction or renovation of the dwelling units, as determined by the Chief Building Inspector, has been filed with the City.

***The proposed accommodations use will not result in a net loss of dwelling units that have been occupied within five years of the date of application for the exception.***

(b) the accommodations use, if located in the Accommodations Overlay on the peninsula, will not reduce or displace more than 25% of office space that has been used for such purpose within five years of the application for the exception;

***The proposed accommodations use is located in the Accommodations Overlay on the peninsula and will not reduce or displace any office space.***

(c) the accommodations use, if located in the Accommodations Overlay on the peninsula, will not displace more than 25% of the linear frontage of existing ground floor storefront retail space on the property;

***The proposed accommodations use is located in the Accommodations Overlay on the peninsula and will not displace any of the linear frontage of existing ground floor storefront retail space on the property.***

(d) the location of the accommodations use will not significantly increase automobile traffic on streets within residential districts;

***The proposed accommodations use is located on a mixed-use section of Society Street. Automotive traffic will access the structure via George Street, between King and Meeting Streets, and will not significantly increase automobile traffic on streets within residential districts per the Traffic Impact Analysis performed by Kimley-Horn.***

(e) the location of the accommodations use will contribute to the maintenance, or creation, of a diverse mixed-use district;

***The location of the proposed accommodations use, which is a portion of a mixed-use residential development will contribute to the maintenance, or creation, of a diverse mixed-use district, as the immediate block surrounding this property includes retail uses, restaurant uses, office uses, accommodations uses, and residential uses.***



- (f) the total square footage of interior and exterior floor area for restaurant and bar space in the proposed accommodations use, including restaurant/bar patron use areas, bar areas, kitchen, storage, and bathroom facilities, shall not exceed 12 percent of the total interior, conditioned floor area in the accommodations use, except that each accommodations use shall be permitted to exempt from the calculation of total restaurant floor area one interior, ground floor restaurant tenant space if the total tenant space does not exceed 2,000 square feet, the restaurant tenant does not serve alcoholic beverages, and the exempt restaurant tenant space is clearly labeled with these restrictions on the floor plans submitted with the application for this zoning special exception;

***The total square footage of interior and exterior floor area for restaurant and bar space in the proposed accommodations use will be less than 12 percent, including restaurant/bar patron use areas, bar areas, kitchen, storage, and bathroom facilities which does not exceed 12 percent of the total interior, conditioned floor area in the accommodations use (or 62,112 square feet).***

- (g) the accommodations use proposed guest drop off and pick up area(s) is located outside the public right-of-way and on the property utilized for the accommodations use if the accommodations use contains more than 50 sleeping units, and if 50 sleeping units or less, the proposed guest drop off and pick up area(s) are located outside the public right-of-way if feasible, and the location and design of the guest drop-off and pick-up area(s) has been reviewed by the Department of Traffic and Transportation and determined to be safe and not be an impediment to traffic and that every effort has been made to minimize traffic impacts;

***The proposed accommodations use guest drop off and pick up area is located outside the public right-of-way and on the property to be utilized for the accommodations use to minimize traffic impacts, and has been reviewed by the Department of Traffic and Transportation and determined to be safe and not be an impediment to traffic and that every effort has been made to minimize traffic impacts per the Traffic Impact Analysis performed by Kimley-Horn.***

- (h) the total number of sleeping units within the buildings or structures on the lot or parcel in which the accommodations use is located is equal to or exceeds ten (10) sleeping units.

***The total number of sleeping units within the buildings or structures on the lot or parcel in which the accommodations use is located is fifty (50) units which exceeds ten (10) sleeping units.***

- (i) within areas of the accommodations overlay zone designated as "A-1", "A-2", "A-3", "A-4", "A-5", "A-6", or "A-7" on the zoning map, the number of sleeping units within the buildings or structures on the lot or parcel in which the accommodations use is located shall not exceed 50 in areas designated "A-1"; 180 in areas designated "A-2"; 225 in areas designated "A-3"; 100 in areas designated "A-4"; 150 in areas designated "A-5"; 69 in areas designated "A-6"; and 175 in areas designated "A-7"; provided, however, that within the portion of the area designated "A-1" bounded by King Street on the west, Meeting Street on the east, Mary Street on the south and Line Street on the north (the "Full-Service Corridor"), the

number of sleeping units within the buildings or structures on the lot or parcel in which the accommodations use is located may exceed 50, but shall not exceed 250, if the accommodations use qualifies as a Full-Service Hotel, meaning that the accommodations use provides 20,000 or more square feet of meeting, conference and banquet space of which 15,000 square feet thereof is contiguous, an on-site restaurant that serves breakfast, lunch and dinner seven days a week and other services such as a concierge, a spa/health club, laundry, turndown service, newspaper delivery, security personnel and airport shuttle; and in no event shall any accommodations use on the peninsula exceed 250 sleeping units;

***The property is within the A-1 overlay zone and will have fifty (50) sleeping units.***

- (j) the proposed accommodations use will not share any of its buildings, structures, facilities, or operations with another accommodations use;

***The proposed accommodations use will not share any of its buildings, structures, facilities, or operations with another accommodations use.***

- (k) (1) The proposed accommodations use incorporates meeting and conference space at a ratio of 400 square feet per 10 sleeping units, or fraction thereof, with respect to the first 150 sleeping units, and incorporates meeting and conference space at a ratio of 1000 square feet for every 10 sleeping units, or fraction thereof, exceeding 150 sleeping units. In either case, at least 75% of the meeting and conference space shall be contiguous;
- (2) Notwithstanding subsection k(1) hereof, if the accommodations use contains more than 50 sleeping units and is located in the Full-Service Corridor, the provisions of subsection (i) hereof shall govern the square footage of required meeting and conference space;

***The proposed accommodations use incorporates in excess of 2,000 square feet of meeting and conference space, exceeding the minimum required meeting and conference space ratio of 400 square feet per 10 sleeping units, or fraction thereof. At least 75% of the minimum required meeting and conference space is contiguous.***

- (l) the proposed accommodations use will not result in there being more than eight (8) Full-Service Hotels on the peninsula, inclusive of those Full-Service Hotels existing on the peninsula and those with approved special exceptions as of the effective date of the ordinance from which this section derives; for purposes of this subsection (l) only, a Full-Service Hotel means (1) a Full-Service Hotel as defined in subsection (i); and (2) any accommodations use on the peninsula having in excess of 150 sleeping units; and

***The proposed accommodations use is not a Full-Service Hotel and its construction will not result in there being more than eight (8) Full-Service Hotels on the peninsula.***

- (m) to assist in providing affordable housing opportunities for its employees, the applicant for the accommodations use commits to contribute to the City of Charleston Affordable/Workforce Housing Account a fee payable upon the

issuance of a Certificate of Occupancy, calculated as follows: \$5.10 per square foot of area used for sleeping units and the hallways adjacent to sleeping units, stairwells and elevators.

***To assist in providing affordable housing opportunities for its employees, the developer of the accommodations use commits to contribute to the City of Charleston Affordable/Workforce Housing Account a fee payable upon the issuance of a Certificate of Occupancy, calculated as follows: \$5.10 per square foot of area used for sleeping units and the hallways adjacent to sleeping units, stairwells and elevators.***

- c. Application requirements. In making the findings required in subsection b.1, the Board of Zoning Appeals-Zoning shall consider the following information to be provided by the applicant in site plans, floor plans and building elevations that will govern the construction of the building in which the accommodations use is located, along with a detailed written assessment report to be submitted with the application:

1. The number of existing dwelling units on the property, including units on the property that were occupied as dwelling units within five years of the date of the application for the exception, the type of unit (rental or owner-occupied; one-family detached; one-family attached; two-family or multi-family; occupied or unoccupied), by income range of the most recent occupant(s), the rental price for rental units and market price for owner occupied units relative to the area median income figures that are determined annually by the U.S. Department of Housing and Urban Development and adjusted by the City of Charleston Department of Housing and Community Development, or its successor, the physical condition of the units (sound, deficient, deteriorated or dilapidated), the square footage and number of bedrooms in each unit, and if the units are proposed to be physically altered or replaced, a description and plan showing the square footage and number of bedrooms in the altered or replaced units, and their location;

***No existing dwelling units have been on this property in more than five (5) years.***

2. The effect of the physical alteration or replacement or relocation of dwelling units on the housing stock of a particular type on the property and whether a condition should be attached to a special exception approval for the accommodations use requiring a minimum percentage of the dwelling units on the property or replaced off-site to remain affordable based on the annually updated median area income values;

***No existing dwelling units have been on this property in more than five (5) years.***

3. The presence of office space on the property, or the presence of spaces on the property that were occupied as office spaces within five years of the date of application for the exception;

***No existing office space has been on this property in more than five (5) years.***

4. The linear frontage of existing ground floor storefront retail space on the property;

***There is no linear frontage of existing ground floor storefront restaurant and retail space on the property is 67 feet.***

5. The location and design of guest drop off and pick up areas for the accommodations use;

***The guest drop off and pick up areas for the proposed accommodations use will enter and exit from George Street and are located internal to the project as shown on Page 8 of the enclosed drawings.***

6. The cumulative number of vehicle trips generated by the proposed accommodations use and other accommodations uses that are either existing or approved within an area identified by the Department of Traffic and Transportation, the traffic circulation pattern serving the accommodations use and efforts made to minimize traffic impacts;

***The cumulative number of vehicle trips the proposed accommodations use is projected to generate is 18 new vehicle trips during the AM peak hour (10 entering and 8 exiting), 9 new vehicle trips during the PM peak hour (4 entering and 4 exiting), and 118 daily. Efforts made to minimize traffic impacts include the proximity near CARTA stops (see page 6) as well as providing bicycle parking.***

7. The distance of the main entrance and parking entrance of the accommodations use from a road classified as an arterial or collector road;

***The main and parking entrance of the proposed accommodations use is 120 feet from King Street and 530 feet from Meeting Street, which are both classified as major arteries as is visually depicted on Page 8 of the enclosed drawings.***

8. The land uses within five hundred feet (500') of the accommodations use, to include the location, square footage, and number of rooms in existing accommodations uses and accommodations uses that have been approved;

***The existing land uses within 500' of the proposed accommodations use are depicted on Page 5 of the enclosed drawings and include accommodations, commercial/office/restaurants, religious building, park, parking, residential, and educational.***

9. The proximity of residential districts to the accommodations use;

***Residential districts are generally located west of St. Philip Street and east of Meeting Street as depicted on Page 6 of the enclosed drawings.***

10. The accessory uses proposed for the accommodations use, such as restaurants, spas, bars, pools and the like, in terms of their location, size, impact on parking, traffic generation, noise or odors in or to a residential district;

***Restaurants are being proposed for this accommodations use. This proposed use is not expected to have any consequential impact on parking, traffic generation, noise or odors in or to any residential districts.***



11. The demonstrated provision of off-street parking at the rate of two spaces that meet the design requirements of section 54-318 for each three sleeping units, provided however, the utilization of mechanical or other means of parking that meet the ratio of two spaces for each three sleeping units shall be allowed;

***The proposed accommodations use will have at least 34 parking spaces which exceeds two spaces for each three sleeping units through the utilization of enclosed, conditioned, underground and valet parking.***

12. The presence of industrial uses and uses which use, store, or produce toxic or hazardous materials in quantities in excess of those specified by the EPA listing of toxic and hazardous materials, within five hundred feet (500') of the accommodations use;

***There are no known industrial uses which use, store, or produce toxic or hazardous materials in quantities in excess of those specified by the EPA listing of toxic and hazardous materials within five hundred feet (500') of the proposed accommodations use.***

13. The commitment to environmental sustainability and recycling;

***The proposed accommodations use will be committed to environmental sustainability and recycling.***

14. The distance of the accommodations use from major tourist attractions;

***The proposed accommodations use is located on the peninsula and is in close proximity to major tourist attractions on the peninsula as well as off-peninsula locations such as the Beaches, Patriot's Point, and Highway 61 plantations.***

15. The distance of the accommodations use from existing or planned transit facilities;

***The proposed accommodations use is located within 100' from a CARTA bus stop and HOP bus stop as depicted on Page 6 of the enclosed drawings.***

16. The long term provision of on- or off-site parking for employees who drive vehicles to work, including an estimate of the number of employees that will drive to work during the maximum shift and the location of parking spaces to be provided, and the demonstrated provision of free transit passes or other incentives to encourage employee use of public transportation;

***The proposed accommodations use will have 34 parking spaces plus access to additional, publicly available spaces in the adjoining garage, all of which will be in excess of the zoning-required amount, a portion of which will be provided to employees for parking, furthermore transit passes and bicycle parking, where appropriate, will be provided.***

17. The number of sleeping units proposed as part of the accommodations use;

***50 sleeping units are proposed as part of the accommodations use.***

18. The provision of shuttle bus services to and from the Historic Districts by accommodations uses with more than 50 sleeping units located outside the area designated "A-1" through "A-6" on the zoning map;

***Not applicable.***

19. The commitment to make affirmative, good faith efforts to see that construction and procurement opportunities are available to MBEs (minority business enterprises) and WBEs (women business enterprises) as outlined in section 2-268 (e)(1), (2), and (3) of the Code of the City of Charleston;

***The proposed accommodations use is committed to make affirmative, good faith efforts to see that construction and procurement opportunities are available to MBEs (minority business enterprises) and WBEs (women business enterprises) as outlined in section 2-268 (e)(1), (2), and (3) of the Code of the City of Charleston.***

20. The commitment to make affirmative, good faith efforts to hire personnel, representative of the population of the Charleston community, at all employment levels.

***The proposed accommodations use is committed to make affirmative, good faith efforts to hire personnel, representative of the population of the Charleston community, at all employment levels.***

If you have any questions or or concerns regarding this request, please contact me at any time. I can be reached at (843) 414-9753.

I appreciate your assistance with this application.

With warmest regards, I am

Yours very truly,

  
Brian A. Hellman





INDEX	
No.	SHEET NAME
1	COVER
2	SITE SURVEY(EXISTING)
3	EXISTING SURROUNDING STRUCTURES
4	ZONING
5	AREA PREDOMINANT LAND USES
6	TRANSPORTATION NETWORK
7	SUBTERRANEAN LEVEL P1
8	COMBINED SITE PLAN- LEVEL 1
9	LEVEL 1 PLAN
10	LEVEL 2 PLAN
11	LEVEL 3 PLAN
12	LEVEL 4 PLAN
13	LEVEL 5 PLAN
14	LEVEL 6 PLAN
15	LEVEL 6 1/2 PLAN
16	ROOF PLAN
17	BUILDING ELEVATIONS
18	BUILDING SECTIONS AND MASSING

AREA SCHEDULE BY LEVEL		AREA (in SQ.FT)	
LEVEL	AREA TYPE	ACCOMMODATIONS	DWELLINGS
LEVEL P1	ACCOMMODATIONS STAIR/ELEVATOR	475	
LEVEL P1	DWELLING PARKING	13,681	
LEVEL P1	ACCOM. BACK OF HOUSE	320	
LEVEL 1	ACCOMMODATIONS	3,108	
LEVEL 1	MEETING SPACES	2,719	
LEVEL 1	RESTAURANT/BAR	2,788	
LEVEL 1	ACCOMMODATION/DWELLING LOBBY	1,734	
LEVEL 1	CORRIDOR SPACE	2,928	
LEVEL 1	STAIRS/ELEVATOR SPACE	682	
LEVEL 2	ACCOMMODATIONS	10,424	
LEVEL 2	ACCOM. CORRIDOR SPACE	1,519	
LEVEL 2	ACCOM. STAIRS/ELEV.	682	
LEVEL 3	ACCOMMODATIONS	10,424	
LEVEL 3	ACCOM. CORRIDOR SPACE	1,519	
LEVEL 3	ACCOM. STAIRS/ELEV.	682	
LEVEL 4	DWELLING SPACE		10,785
LEVEL 4	DWELLING CORRIDOR SPACE		1,358
LEVEL 4	DWELLING LIFT/ELEVATOR	682	
LEVEL 5	DWELLING SPACE		10,785
LEVEL 5	DWELLING CORRIDOR SPACE		1,358
LEVEL 5	DWELLING LIFT/ELEVATOR	682	
LEVEL 6	DWELLING SPACE		9,542
LEVEL 6	DWELLING CORRIDOR SPACE		1,469
LEVEL 6	DWELLING LIFT/ELEVATOR	682	
LEVEL 6 1/2	ACCOMMODATIONS	2,335	
LEVEL 6 1/2	ACCOM. CORRIDOR SPC.	703	
LEVEL 6 1/2	RESTAURANT/BAR SPACE	1,978	
LEVEL 6 1/2	LIFT/ELEVATOR	682	
LEVEL 6 1/2	ACCOM. BOH	281	
LEVEL 6 1/2	RESTAURANT/BAR OUTDOOR	2103	
TOTAL ACCOMMODATIONS UNITS		50 UNITS	
TOTAL DWELLING UNITS		16 UNITS	
TOTAL DWELLING AREA			35,145
TOTAL CONDITIONED ACCOMMODATION AREA		62,112	
TOTAL RESTAURANT/BAR AREA		6,849	inc. 1st and 6.5 floor enclosed
% OF RESTAURANT/BAR SPACE		11.04%	







1. 84-88 SOCIETY STREET



2. 84-88 SOCIETY STREET



3. SOCIETY STREET WEST VIEW



4. GEORGE STREET VIEW

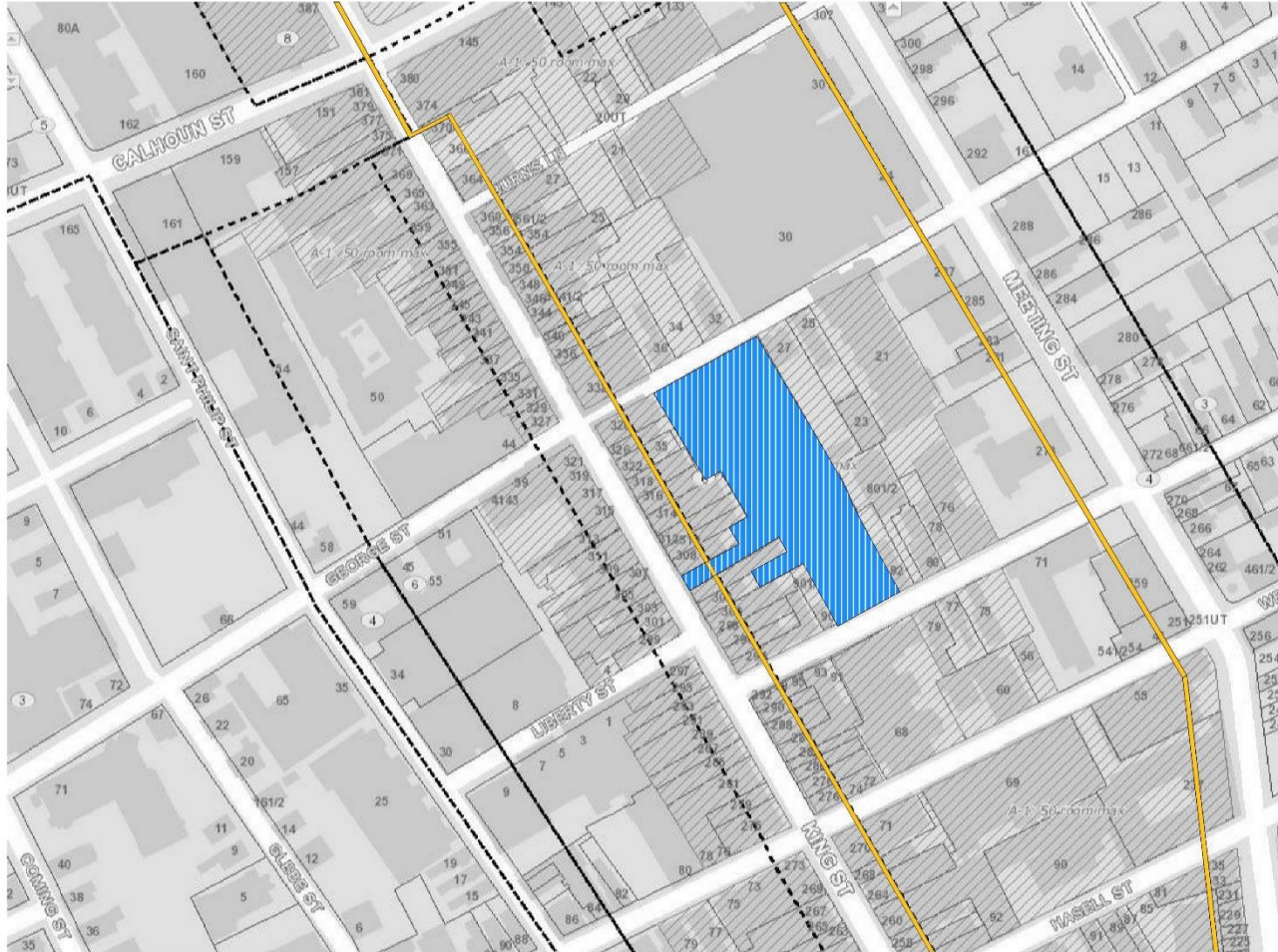


5. GEORGE STREET PARKING VIEW



6. GEORGE STREET EAST ENTRY VIEW





**ACCOMODATIONS OVERLAY AND HEIGHT DISTRICT ZONING MAP**  
 DIAGONAL HATCH INDICATES A-1 ACCOMODATIONS

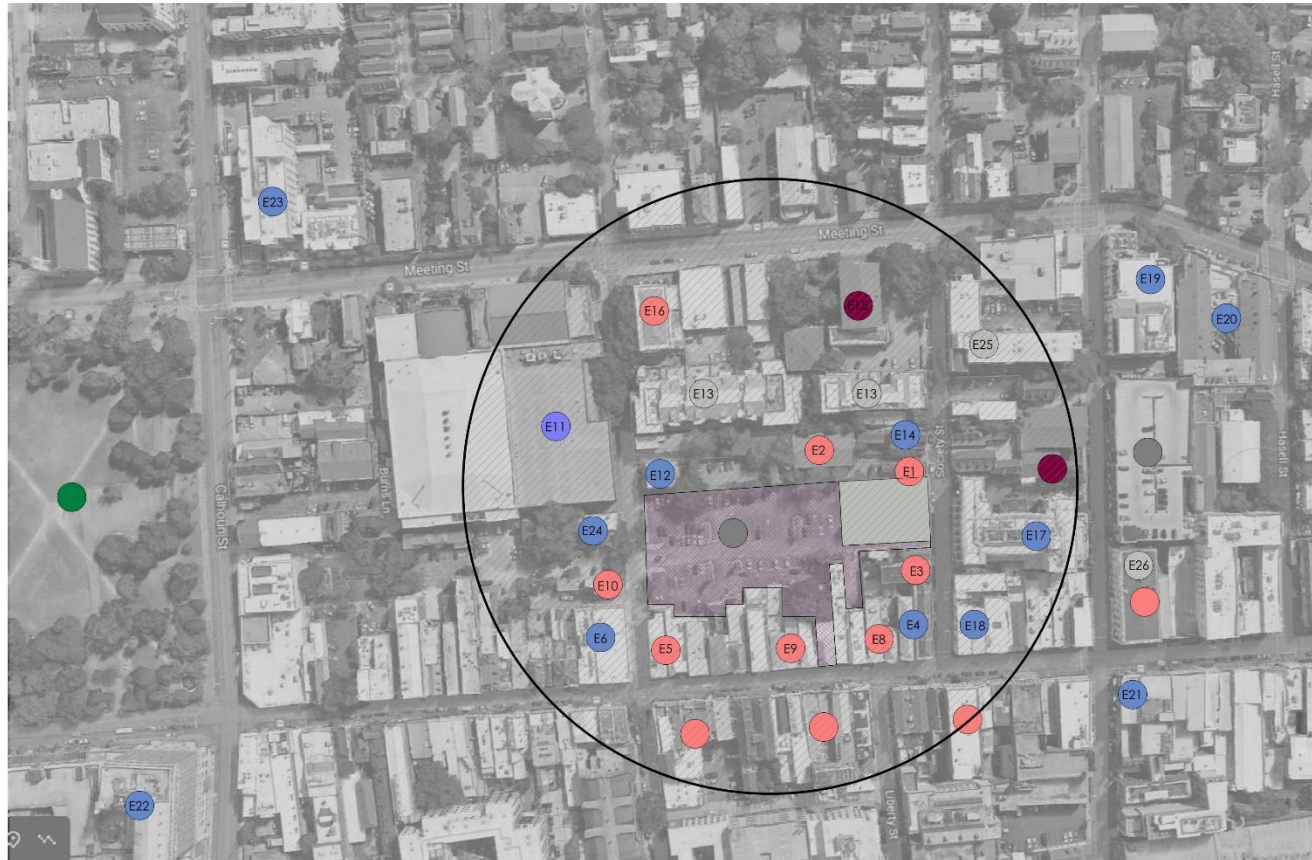


## CURRENT ZONING

84-88 SOCEITY STREET

CODE : MU-2/WH  
 OLD CITY HEIGHT DISTRICT 6  
 OVERLAY : ACCOMODATIONS,  
 AMUSEMENT & RECREATION  
 APPEARED BY BAR FOR 6 1/2 STORIES BASED  
 ON ARCHITECTURAL MERIT.  
 RESIDENTIAL SHORT TERM RENTAL :SR CAT 1  
 OLD AND HISTORIC DISTRICT

SEC: 54-201 BASE ZONING DISTRICT  
 SEC : 54-306 F - HEIGHT DISTRICT 6  
 OLD CITY HEIGHT DISTRICT 6



## LAND USE LEGEND

- ACCOMODATIONS
- COMMERCIAL/OFFICE/RESTAURANTS
- RELIGIOUS BUILDING
- PARKING
- PARK
- RESIDENTIAL
- EDUCATIONAL

## EXISTING

- E1 MUSE RESTAURANT & WINE BAR
- E2 HOLY CITY FITNESS
- E3 CHRISTOPHE ARTISAN CHOCOLATIER
- E4 CHARLESTON URBAN APARTMENTS
- E5 DJ TREVOR/D&M PRODUCTIONS
- E6 THE PINCH HOTEL CHARLESTON
- E7 MY SISTER'S COTTAGE CLOTHING
- E8 THE BOUTIQUE CHARLESTON
- E9 SUSHI 101/TAZIKI'S CAFE
- E10 THE QUINTE OYSTER BAR
- E11 COLLEGE OF CHARLESTON
- E12 THE BARKSDALE HOUSE INN
- E13 XXI GEORGE STREET CONDOS
- E14 GINGER LILY HOTEL
- E15 TRINITY UNITED CHURCH
- E16 SEA GRANT CONSORTIUM
- E17 RENAISSANCE CHARLESTON HOTEL
- E18 THE QUARTERS ON KING HOTEL
- E19 GRAND BOHEMIAN HOTEL
- E20 THE RYDER HOTEL
- E21 THE RESTORATION HOTEL
- E22 FRANCIS MARION HOTEL
- E23 COURTYARD BY MARRIOTT
- E24 KING GEORGE IV INN
- E25 71 SOCIETY STR, ANSONBOROUGH HOUSE
- E26 71 WENTWORTH ST





#### CARTA STOP USAGE (ROUTE NUMBERS)

1 : 20, 211  
 2 : 20  
 3 : 20,211  
 4 : 20  
 5 : 20,211  
 6 : 20  
 7 : 20  
 8 : 211  
 9 : 211  
 10: 211  
 11: 211  
 12 :211  
 13 : 210

NOTE : THE SOCIETY STREET HOTEL LOCATION  
 IS A HALF BLOCK FROM BUS STOPS ON KING  
 AND MEETING STREET.



LEGEND :

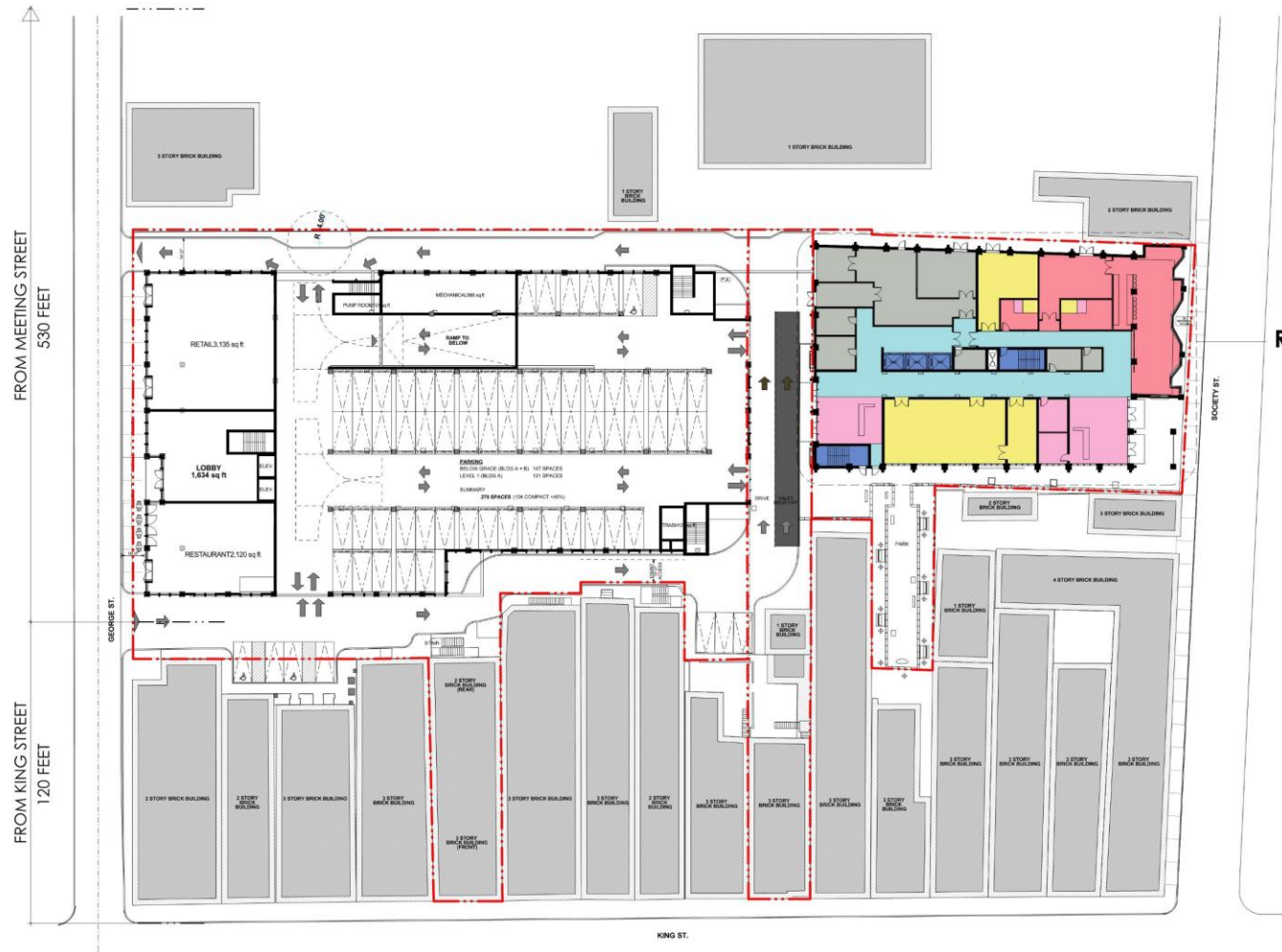
- ACCOMMODATION PARKING- 34 SPACES
- ACCOM. STAIRS/ELEVATOR
- CORRIDORS/CIRCULATION
- BACK OF HOUSE ACCOMMODATION
- ACCOM/DWELLING LOBBY
- MEETING/CONFERENCE SPACE
- RESTAURANT/BAR
- ACCOMMODATION SPACE
- DWELLING
- ACCOM. OUTDOOR RESTAURANT/BAR
- BUILDING FOOTPRINT
- ACCOMMODATION DROP-OFF
- TERRACE AREA
- OUTDOOR CIRCULATION
- PROPERTY LINE

LEVEL	AREA TYPE	AREA
LEVEL P1	ACCOMMODATION STAIRS/ELEVATOR	475 SQ FT
LEVEL P1	ACCOM. PARKING	13,681 SQ FT
LEVEL P1	ACCOMMODATION BACK OF HOUSE	320 SQ FT

TOTAL ACCOMMODATION CONDITIONED SPACE	14,476 SQ FT
---------------------------------------	--------------







REFER SHEET 09

LEGEND :

- ACCOMMODATION PARKING- 34 SPACES
- ACCOM. STAIRS/ELEVATOR
- CORRIDORS/CIRCULATION
- BACK OF HOUSE ACCOMMODATION
- ACCOM/DWELLING LOBBY
- MEETING/CONFERENCE SPACE
- RESTAURANT/BAR
- ACCOMMODATION SPACE
- DWELLING
- ACCOM. OUTDOOR RESTAURANT/BAR
- BUILDING FOOTPRINT
- ACCOMMODATION DROP-OFF
- TERRACE AREA
- OUTDOOR CIRCULATION
- PROPERTY LINE





LEGEND :

- ACCOMMODATION PARKING- 34 SPACES
- ACCOM. STAIRS/ELEVATOR
- CORRIDORS/CIRCULATION
- BACK OF HOUSE ACCOMMODATION
- ACCOM/DWELLING LOBBY
- MEETING/CONFERENCE SPACE
- RESTAURANT/BAR
- ACCOMMODATION SPACE
- DWELLING
- ACCOM. OUTDOOR RESTAURANT/BAR
- BUILDING FOOTPRINT
- ACCOMMODATION DROP-OFF
- TERRACE AREA
- OUTDOOR CIRCULATION
- PROPERTY LINE

LEVEL	AREA TYPE	AREA
LEVEL 1	ACCOMMODATION SPACE	3,108 SQ FT
LEVEL 1	MEETING/CONFERENCE	2,719 SQ FT
LEVEL 1	ACCOM. RESTAURANT/BAR	2,788 SQ FT
LEVEL 1	ACCOM/DWELLING LOBBY	1,736 SQ FT
LEVEL 1	CIRCULATION SPACE	2,928 SQ FT
LEVEL 1	ACCOM. STAIRS/ELEVATOR SPACE	682 SQ FT

TOTAL CONDITIONED SPACE	13,961 SQ FT
TOTAL RESTAURANT/BAR AREA	2,788 SQ FT







- LEGEND :
- ACCOMMODATION PARKING- 34 SPACES
  - ACCOM. STAIRS/ELEVATOR
  - CORRIDORS/CIRCULATION
  - BACK OF HOUSE ACCOMMODATION
  - ACCOM/DWELLING LOBBY
  - MEETING/CONFERENCE SPACE
  - RESTAURANT/BAR
  - ACCOMMODATION SPACE
  - DWELLING
  - ACCOM. OUTDOOR RESTAURANT/BAR
  - BUILDING FOOTPRINT
  - ACCOMMODATION DROP-OFF
  - TERRACE AREA
  - OUTDOOR CIRCULATION
  - PROPERTY LINE

LEVEL	AREA TYPE	AREA
LEVEL 2	ACCOMMODATION SPACE	10,624 SQ FT
LEVEL 2	ACCOMM.CORRIDOR SPACE	1,519 SQ FT
LEVEL 2	ACCOM. STAIRS/ELEVATORS	682 SQ FT
TOTAL ACCOMMODATION CONDITIONED SPACE		12,825 SQ FT
ACCOMMODATION SLEEPING UNITS		22 Units





LEGEND :

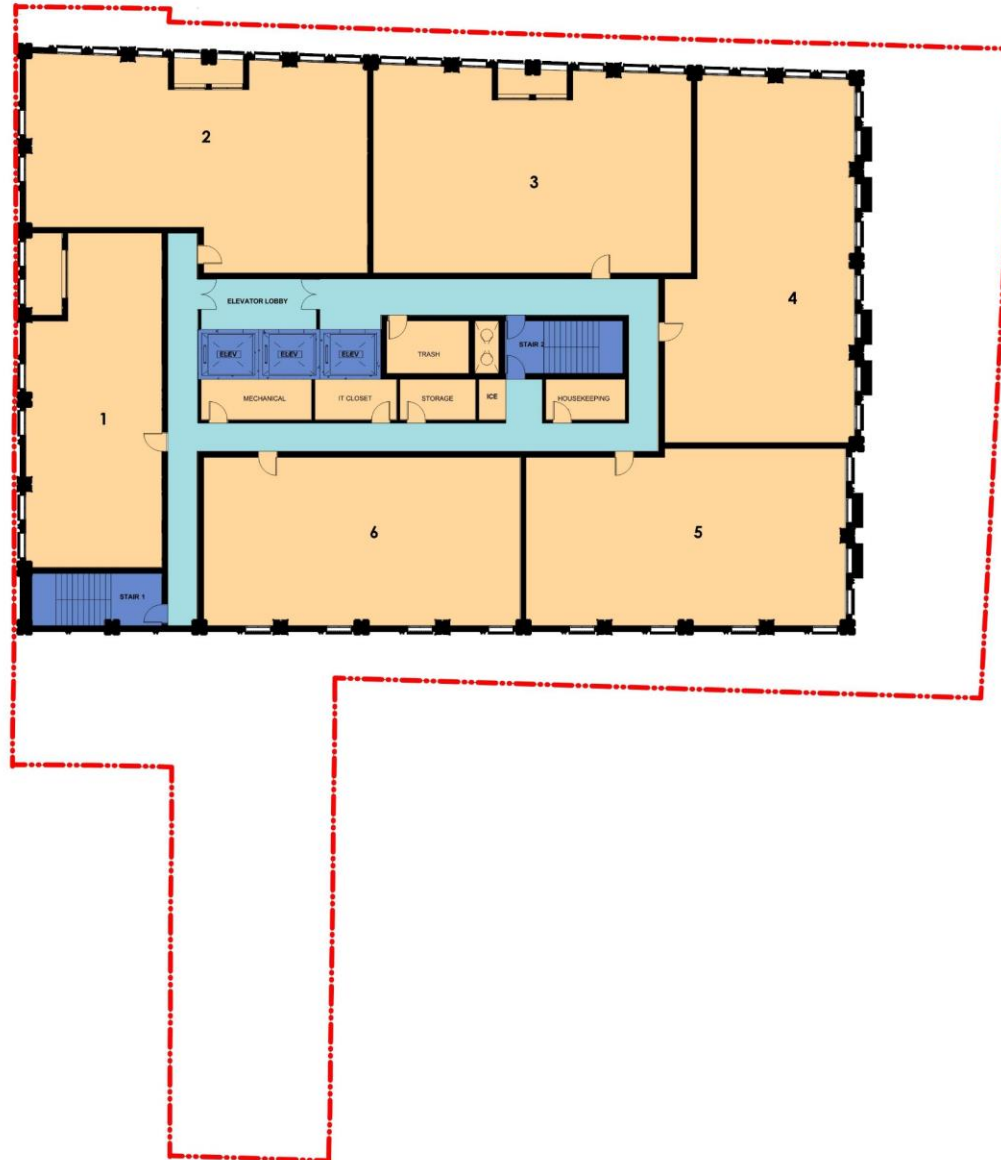
- ACCOMMODATION PARKING- 34 SPACES
- ACCOM. STAIRS/ELEVATOR
- CORRIDORS/CIRCULATION
- BACK OF HOUSE ACCOMMODATION
- ACCOM/DWELLING LOBBY
- MEETING/CONFERENCE SPACE
- RESTAURANT/BAR
- ACCOMMODATION SPACE
- DWELLING
- ACCOM. OUTDOOR RESTAURANT/BAR
- BUILDING FOOTPRINT
- ACCOMMODATION DROP-OFF
- TERRACE AREA
- OUTDOOR CIRCULATION
- PROPERTY LINE

LEVEL	AREA TYPE	AREA
LEVEL 3	ACCOMMODATION SPACE	10,624 SQ FT
LEVEL 3	ACCOM. CORRIDOR SPACE	1,519 SQ FT
LEVEL 3	ACCOM. STAIR /ELEVATOR	682 SQ FT

TOTAL ACCOMMODATION CONDITIONED SPACE	12,825 SQ FT
ACCOMMODATION SLEEPING UNITS	22 Units







LEGEND :

- ACCOMMODATION PARKING- 34 SPACES
- ACCOM. STAIRS/ELEVATOR
- CORRIDORS/CIRCULATION
- BACK OF HOUSE ACCOMMODATION
- ACCOM/DWELLING LOBBY
- MEETING/CONFERENCE SPACE
- RESTAURANT/BAR
- ACCOMMODATION SPACE
- DWELLING
- ACCOM. OUTDOOR RESTAURANT/BAR
- BUILDING FOOTPRINT
- ACCOMMODATION DROP-OFF
- TERRACE AREA
- OUTDOOR CIRCULATION
- PROPERTY LINE

LEVEL	AREA TYPE	AREA
LEVEL 4	DWELLING SPACE	10,785 SQ FT
LEVEL 4	DWELLING CORRIDOR SPACE	1,358 SQ FT
LEVEL 4	ACCOMMODATION STAIR/ELEVATOR	682 SQ FT

TOTAL DWELLING CONDITIONED SPACE	12,825 SQ FT
DWELLING UNITS	6 Units





LEGEND :

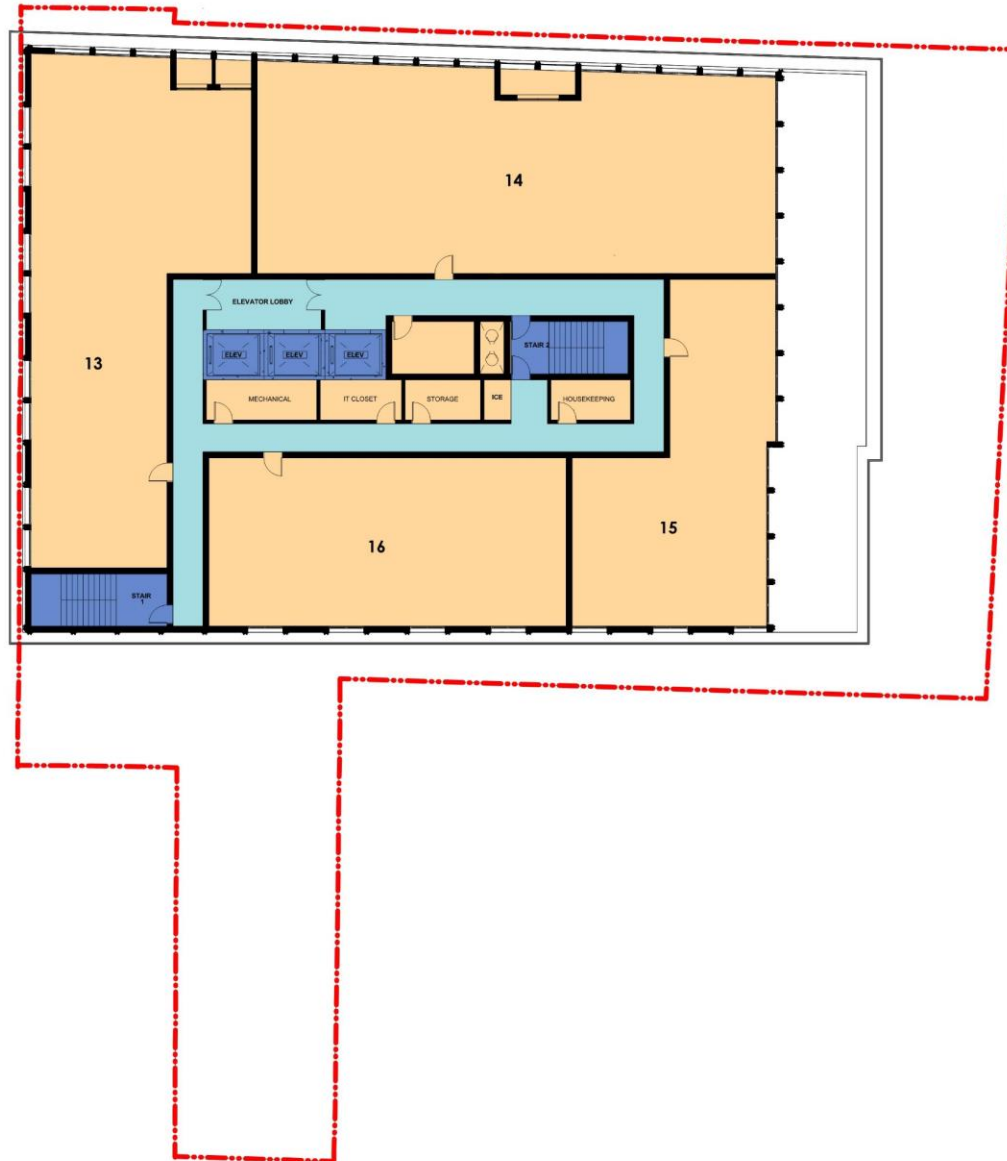
- ACCOMMODATION PARKING- 34 SPACES
- ACCOM. STAIRS/ELEVATOR
- CORRIDORS/CIRCULATION
- BACK OF HOUSE ACCOMMODATION
- ACCOM/DWELLING LOBBY
- MEETING/CONFERENCE SPACE
- RESTAURANT/BAR
- ACCOMMODATION SPACE
- DWELLING
- ACCOM. OUTDOOR RESTAURANT/BAR
- BUILDING FOOTPRINT
- ACCOMMODATION DROP-OFF
- TERRACE AREA
- OUTDOOR CIRCULATION
- PROPERTY LINE

LEVEL	AREA TYPE	AREA
LEVEL 5	DWELLING SPACE	10,785 SQ FT
LEVEL 5	DWELLING CORRIDOR SPACE	1,358 SQ FT
LEVEL 5	ACCOMMODATION STAIRS/ELEVATOR	682 SQ FT

TOTAL DWELLING CONDITIONED SPACE	12,825 SQ FT
DWELLING UNITS	6 Units







LEGEND :

- ACCOMMODATION PARKING- 34 SPACES
- ACCOM. STAIRS/ELEVATOR
- CORRIDORS/CIRCULATION
- BACK OF HOUSE ACCOMMODATION
- ACCOM/DWELLING LOBBY
- MEETING/CONFERENCE SPACE
- RESTAURANT/BAR
- ACCOMMODATION SPACE
- DWELLING
- ACCOM. OUTDOOR RESTAURANT/BAR
- BUILDING FOOTPRINT
- ACCOMMODATION DROP-OFF
- TERRACE AREA
- OUTDOOR CIRCULATION
- PROPERTY LINE

LEVEL	AREA TYPE	AREA
LEVEL 6	DWELLING SPACE	9,542 SQ FT
LEVEL 6	DWELLING CORRIDOR SPACE	1,469 SQ FT
LEVEL 6	ACCOMMODATION STAIR/ELEVATOR	682 SQ FT

TOTAL DWELLING CONDITIONED SPACE	11,541 SQ FT
DWELLING UNITS	4 Units





NOTES :

- GLASS SOUND WALL WILL BE PROVIDED ALONG OUTDOOR PROGRAM PERIMETER.
- ANY AMPLIFIED MUSIC IN OUTDOOR AREAS WILL BE SHUT DOWN NO LATER THAN 11 PM.
- PROJECT TEAM WILL CONTRACT ACOUSTICAL CONSULTANT AND IMPLEMENT SOUND MITIGATION MEASURES.

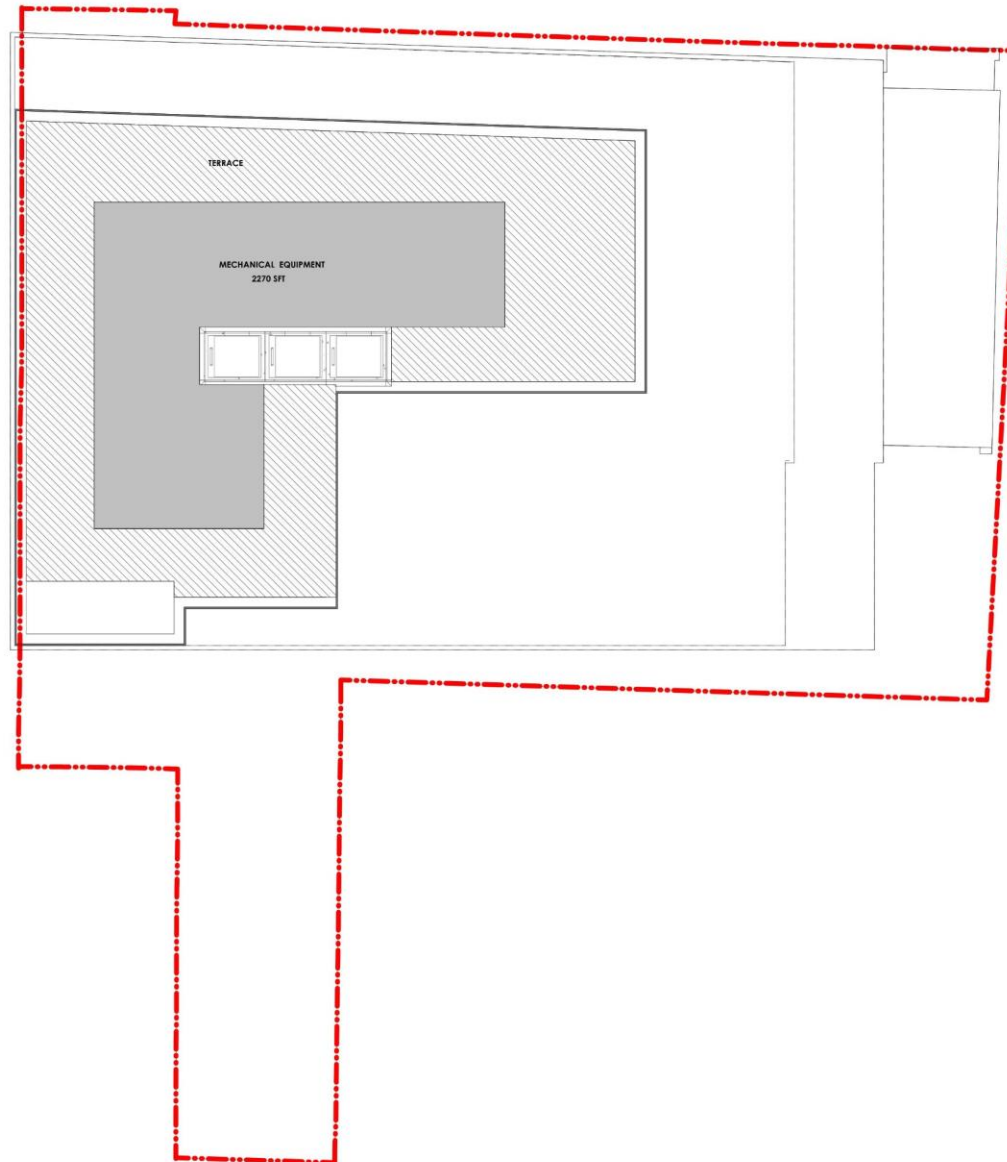
- LEGEND :
- ACCOMMODATION PARKING- 34 SPACES
  - ACCOM. STAIRS/ELEVATOR
  - CORRIDORS/CIRCULATION
  - BACK OF HOUSE ACCOMMODATION
  - ACCOM/DWELLING LOBBY
  - MEETING/CONFERENCE SPACE
  - RESTAURANT/BAR
  - ACCOMMODATION SPACE
  - DWELLING
  - ACCOM. OUTDOOR RESTAURANT/BAR
  - BUILDING FOOTPRINT
  - ACCOMMODATION DROP-OFF
  - TERRACE AREA
  - OUTDOOR CIRCULATION
  - PROPERTY LINE

LEVEL	AREA TYPE	AREA
LEVEL 6 1/2	ACCOMMODATION SPACE	2,335 SQ FT
LEVEL 6 1/2	ACCOM.CORRIDOR/CIRCULATION SPACE	703 SQ FT
LEVEL 6 1/2	ACCOM. STAIRS/ELEVATOR	682 SQ FT
LEVEL 6 1/2	ACCOM. BOH	281 SQ FT
LEVEL 6 1/2	RESTAURANT/BAR SPACE	1,978 SQ FT
LEVEL 6 1/2	OUTDOOR RESTAURANT/BAR SPACE	2,103 SQ FT
LEVEL 6 1/2	OUTDOOR CIRCULATION	1,372 SQ FT

TOTAL CONDITIONED SPACE	5,979 SQ FT
TOTAL ACCOM. RESTAURANT/BAR SPACE	4,081 SQ FT
ACCOMMODATION UNITS	6 Units







LEGEND :

- ACCOMMODATION PARKING- 34 SPACES
- ACCOM. STAIRS/ELEVATOR
- CORRIDORS/CIRCULATION
- BACK OF HOUSE ACCOMMODATION
- ACCOM/DWELLING LOBBY
- MEETING/CONFERENCE SPACE
- RESTAURANT/BAR
- ACCOMMODATION SPACE
- DWELLING
- ACCOM. OUTDOOR RESTAURANT/BAR
- BUILDING FOOTPRINT
- ACCOMMODATION DROP-OFF
- TERRACE AREA
- OUTDOOR CIRCULATION
- PROPERTY LINE

LEVEL	AREA TYPE	AREA
ROOF LEVEL	CIRCULATION	214 SQ FT
ROOF LEVEL	MECH SPACE	2,269 SQ FT





1. MASSING EAST ELEVATION



2. MASSING SOUTH ELEVATION

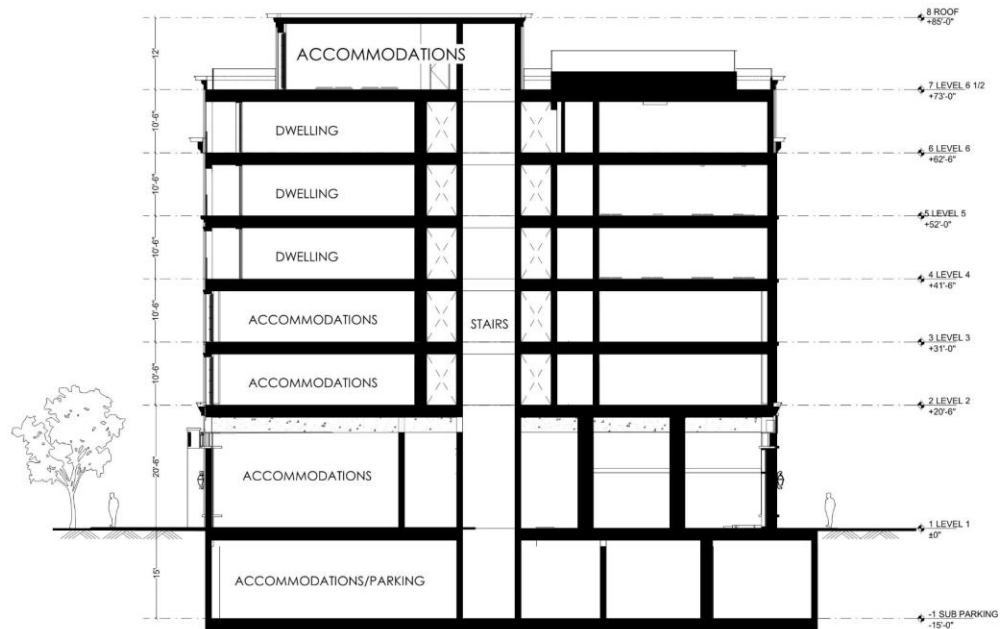


3. MASSING WEST ELEVATION



4. MASSING NORTH ELEVATION





MASSING SECTION



MASSING PERSPECTIVE



MASSING PERSPECTIVE



## **Agenda Item #B-5**

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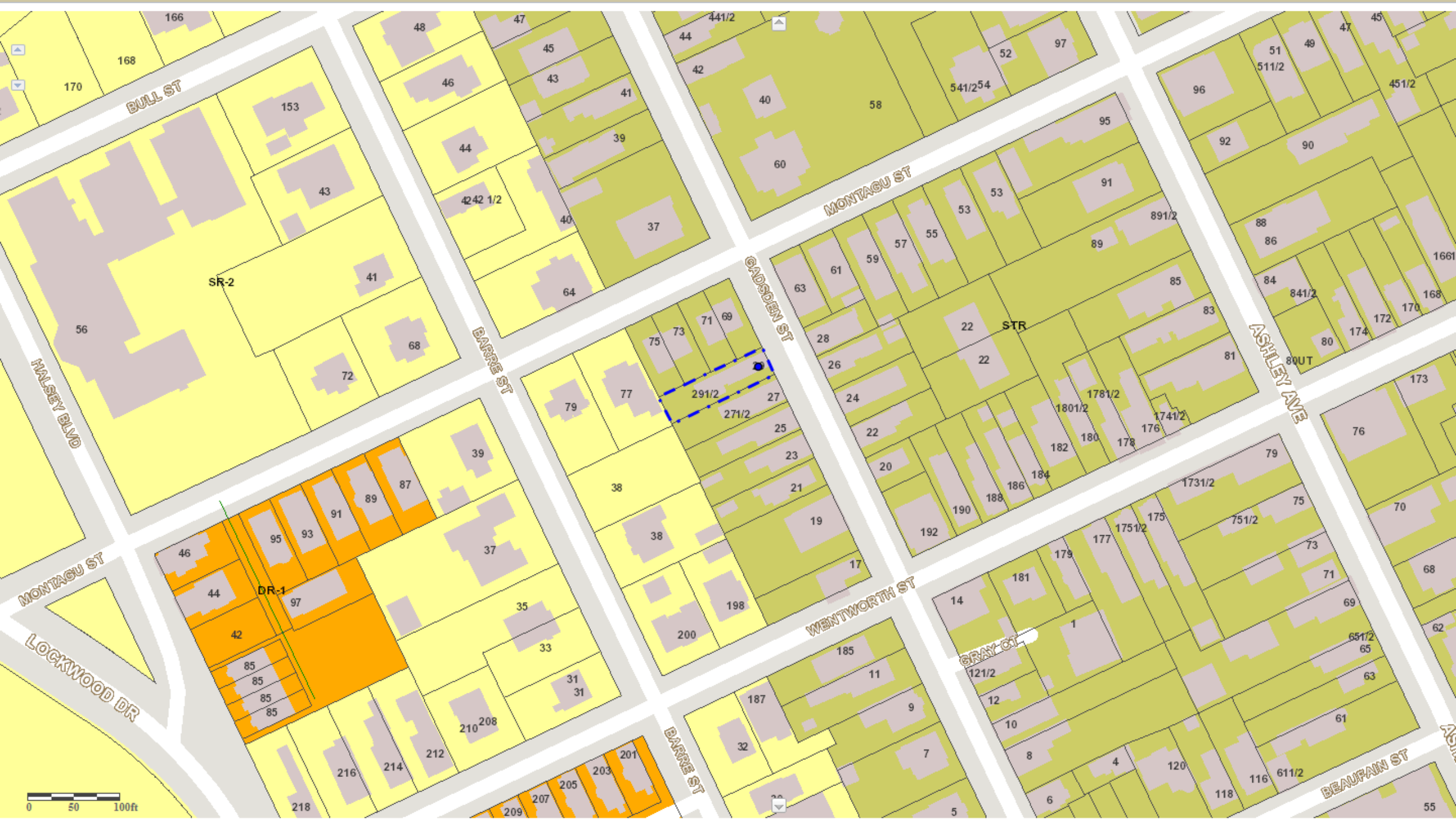
29 GADSDEN STREET  
HARLESTON VILLAGE

TMS #457-03-03-026

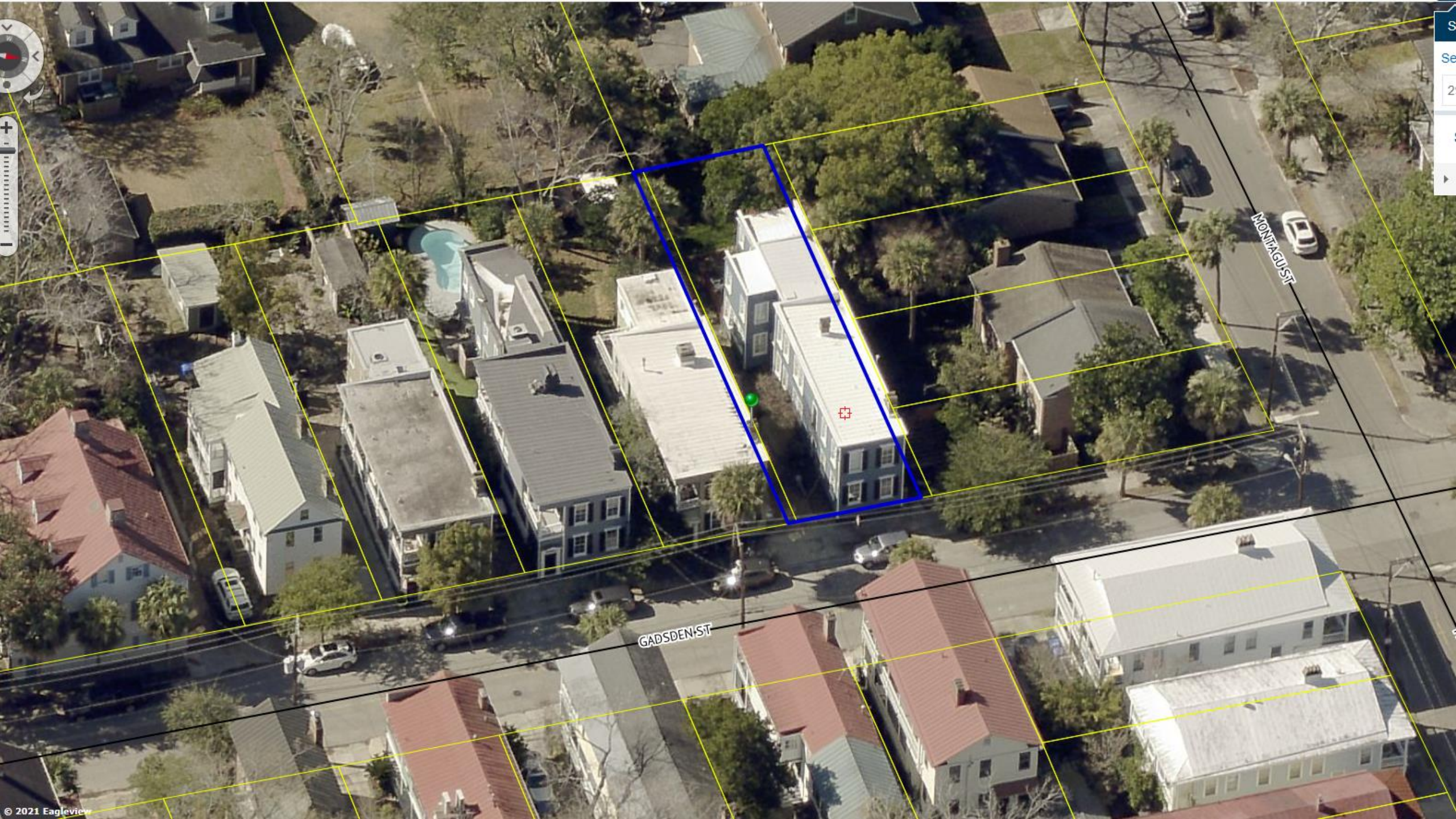
Request variance from Sec. 54-301 to allow a 2-story piazza with a 10-ft. 4-inch south side setback (12-ft. required).

Zoned STR













Application for Variance, Special Exception, Reconsideration, or Extension Page 1 of 2  
to the Board of Zoning Appeals - Zoning (BZA-Z)

City of Charleston

**Instructions** - This application, along with the required information and fee, must be submitted to the Permit Center at 2 George Street. **Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda.** A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals - Zoning. **Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days.** An appeal to the Board during this appeal period stays all further action on the application.

**THE APPLICANT HEREBY REQUESTS:**

- ☒ A Variance and/or Special Exception as indicated on page 2 of this application.  
☐ Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).  
☐ Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: 2/21/23

Property Address 29 Goddard St. TMS # 4570303026

Property Owner Gregory Jackson Daytime Phone \_\_\_\_\_

Applicant Joseph Rubenstein Daytime Phone 843-224-0171

Applicant's Mailing Address 208 Botany Bay Ct. N. Charleston SC 29418

E-mail Address joseph@downiteconstruction.com

Relationship of applicant to owner (same, representative, prospective buyer, other) Contractor

Zoning of property SR SR CRT 1

**Information required with application: (check information submitted)**

- ☒ Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)  
☐ For new construction or additions within a flood zone, show HVAC units and platform on scaled plans  
☐ Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff (3 sets)  
☐ Plans or documents necessary to show compliance with special exception requirements (3 sets)  
☐ Check, credit card or cash (make checks payable to the City of Charleston)  
☐ YES or ☐ NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

**Optional but very helpful information:**

- ☐ Photographs  
☐ Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant Joseph Rubenstein Date 1/22/23

For office use only

Date application received \_\_\_\_\_  
Staffperson \_\_\_\_\_

Fee \$ \_\_\_\_\_

Time application received \_\_\_\_\_  
Receipt # \_\_\_\_\_

**BZA-Z Application (continued)**

Page 2 of 2

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

We are requesting a variance for the setbacks on the driveway side of property. 12' setback is required & we only have 10'4". This house is one of four sister houses, and only one who doesn't have a porch. The driveway stays in the same location (perches to fill current garden beds) and will not affect any neighbors.

**Variance Test:** The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

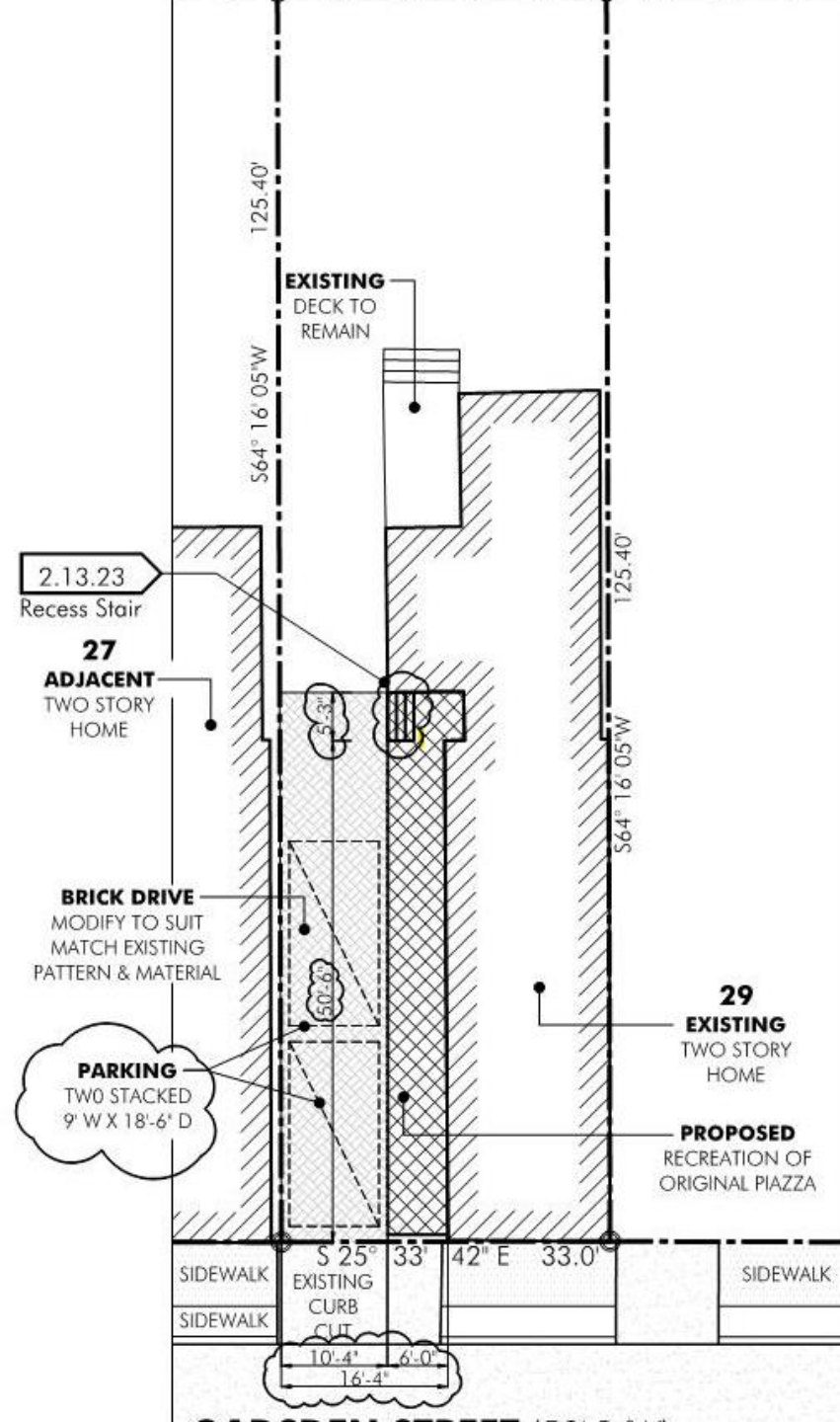
1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

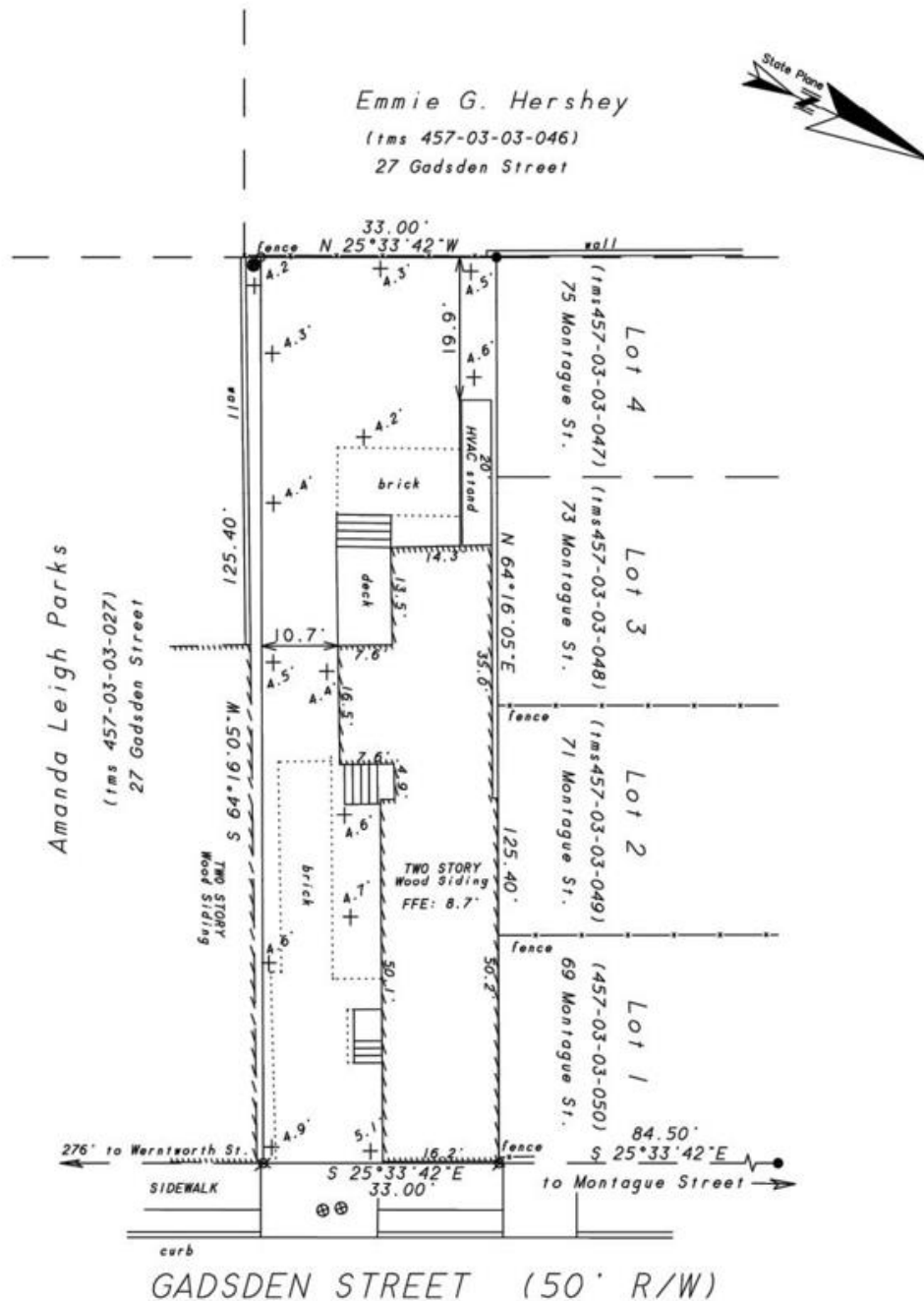
For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.

Department of Planning, Preservation & Sustainability 2 George Street Charleston, South Carolina 29401  
(843) 724-3781 www.charleston-sc.gov/zoning







3. Property Owner: FX EXP Holdings LLC

4. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

5. Every effort has been made to accurately locate label and describe the size and type of any trees on this survey. No canopies or tree leanings are shown. A preliminary site layout is recommended before final site design or construction.

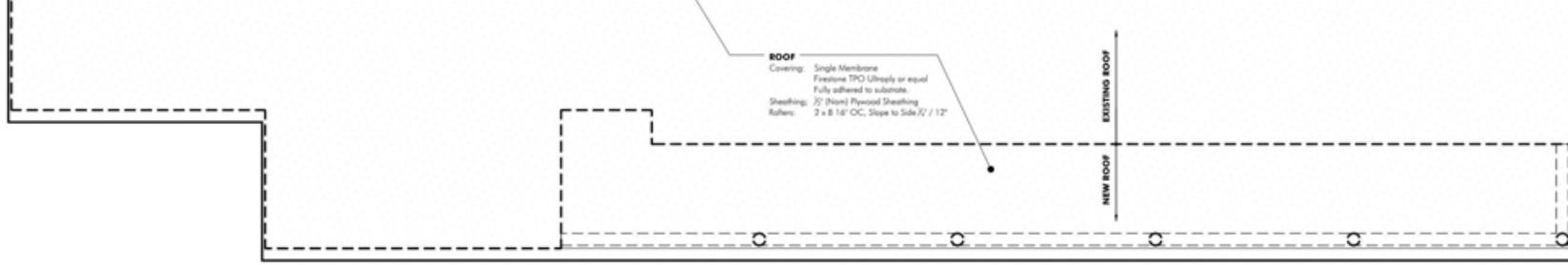
6. This lot has been checked against area FEMA maps and to the best of this surveyor's knowledge, said lot is located in Flood Zone AE(11') Ref. Map No. 45019C0514 K dated 01-29-2021  
It is the responsibility of the owner and/or builder to verify the flood zone with the governing municipality prior to design and construction.

7. TOTAL AREA: 0.095 Acre 4138 Square Feet

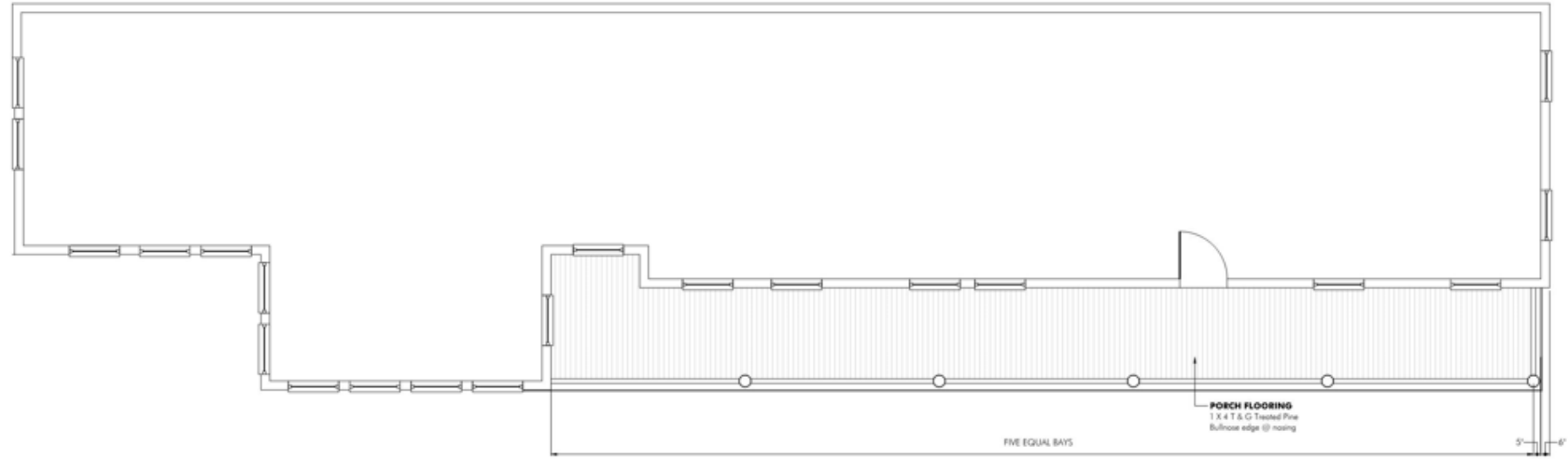
Boundary Survey  
with Ground Elevations  
29 Gadsden Street  
located  
CITY OF CHARLESTON  
CHARLESTON COUNTY, SOUTH CAROLINA

#### SURVEYOR'S STATEMENT

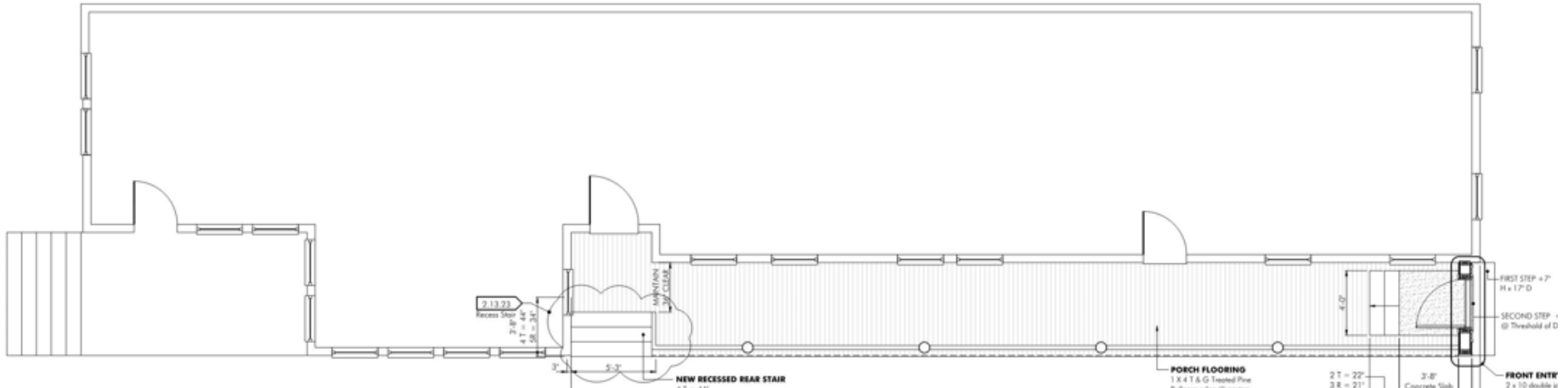
I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance



**C ROOF PLAN**  
 A.1.2 1/2" = 1'-0"



**B SECOND FLOOR PLAN**  
 A.1.2 1/2" = 1'-0"



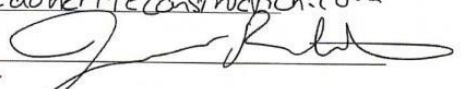








**REQUEST FOR ALTERATION/REPAIR TO PROPERTY**  
**UNDER EASEMENT OR COVENANT TO**  
**HISTORIC CHARLESTON FOUNDATION**

1. Name of Property: \_\_\_\_\_
2. Address of property under easement or covenant: 29 Gadsden St.  
Charleston SC 29401
3. Owner/Applicant: Ben & Donna Mack / Joseph Rubenstein  
Business/mailling address: 29 1/2 Gadsden St. Charleston SC 29401  
Telephone: (home) 843-224-0171  
E-mail: joseph@donerriteconstruction.com  
Fax: \_\_\_\_\_
4. Description of requested change(s): Construct double side porches  
to match neighboring sister  
houses.
5. Reason for request: Design & functionality
6. Name and contact information for architect (contractor) or designer:  
Name: Joseph Rubenstein  
Address: 208 Botany Bay Ct.  
City, State, Zip: N Charleston SC 29418  
Telephone: 843-224-0171  
E-mail: joseph@donerriteconstruction.com
7. Signature of applicant: 
8. Date: 12/13/22

Return to April Wood, Easement Manager, Historic Charleston Foundation, 40 East Bay Street,  
Charleston, SC 29401 (Fax) 577-2067, awood@historiccharleston.org. Questions? 843-805-6731

Action Taken/conditions:

Approved

Updated 2-14-23 to  
allow recessed stair on  
plaza.

Historic Charleston Foundation

Date: 12-13-22

Signature: AWood  
Manager of Easements and Technical Outreach